

FLYING BLIND: WHAT ARE THE SECURITY RISKS OF RESUMING U.S. COMMERCIAL AIR SERVICE TO CUBA?

HEARING BEFORE THE SUBCOMMITTEE ON TRANSPORTATION SECURITY OF THE COMMITTEE ON HOMELAND SECURITY HOUSE OF REPRESENTATIVES ONE HUNDRED FOURTEENTH CONGRESS SECOND SESSION

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FLYING BLIND: WHAT ARE THE SECURITY RISKS OF RESUMING U.S. COMMERCIAL AIR SERVICE TO CUBA?

Tuesday, May 17, 2016

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON TRANSPORTATION SECURITY,
Washington, DC.

The subcommittee met, pursuant to call, at 2:05 p.m., in Room 311, Cannon House Office Building, Hon. John Katko [Chairman of the subcommittee] presiding.

Present: Representatives Katko, McCaul, Carter, Rice, and Thompson.

Also present: Representative Perry.

Mr. KATKO. The Committee on Homeland Security will come—Subcommittee on Transportation Security will come to order. The subcommittee is meeting today to examine the risks involved in resuming U.S. commercial air service to Cuba.

I now recognize myself for an opening statement.

On February 16, U.S. and Cuban officials signed an accord which will allow more than 100 daily round-trip flights between the United States and the country of Cuba. As has been the practice of this administration, the deal was signed with minimal consultation or input from Congress.

In fact, countless attempts by this committee to attain information about various aspects of the negotiations and requirements to begin regularly-scheduled commercial service to Cuba have been stonewalled.

Despite having been briefed numerous times by components of the Department prior to this hearing, I learned only yesterday from a press release that on May 5, Deputy Secretary Alejandro Mayorkas signed a memorandum of understanding with the Cuban government that has far-reaching implications for the Department of Homeland Security.

The administration's lack of transparency on this issue is unacceptable and leads me to believe that the administration is either hiding something or, worse, simply negligent of the security concerns associated with this policy.

Immediately following the signing of the February 16 agreement, the Department of Transportation opened the application process for U.S. air carriers to bid on routes for regularly-scheduled commercial air service to all 10 of Cuba's international airports. After a 54-year freeze in diplomatic relations, the administration is at-

tempting to designate these 10 Cuban airports as last points of departure, or LPDs, to the United States as early as late summer this year.

Only 7 other foreign countries in the world have 10 or more LPD airports to the United States. They include some of our closest allies and trading partners, such as the United Kingdom, Canada, and Mexico.

China, with an estimated 1.3 billion people and the third-largest country in the world by land mass, has only 11 LPD airports to the United States. But the administration wants to designate 10 airports of LPD stature to Cuba, a country that could fit into China over 127 times, and a country whose population is less than 1 percent that of China.

In a briefing on March 17, officials from TSA stated their intention to certify 3 additional airports in Cuba as LPDs by late summer. The picture officials of TSA paint of the security situation at Cuba's airports is indeed bleak.

Cuba possesses no explosive trace detection equipment. Let me repeat that: They do not have any explosive trace detection equipment at their airports.

The bomb-sniffing dogs are poorly trained at best and have been described by some as, "mangy street dogs."

The only 2 full-body scanners on the entire island are in Havana, which means that the 9 other airports in question will not have body scanners. These scanners are Chinese-made, as is almost all of the security equipment the Cubans possess, and we have no idea as to whether they work at all, or how they work, or how well they work.

To make matters worse, it is not even clear whether Federal air marshals will even be allowed to be on these flights.

TSA could offer no information on the security training, if any, that airport officials receive and were unaware if airport workers are vetted for potential links to terrorism. Given the continued U.S. embargo, the administration is prohibited from supplying any security equipment or offering training to the Cuban government.

Additionally, TSA predicted that with the introduction of commercial air service, passenger volume would increase exponentially to a level that Cuban authorities and airport infrastructure are simply unprepared and perhaps unable to handle.

If the status quo remains the same, the Cuban government will not allow U.S. airlines to hire their own personnel to perform basic functions, such as ticketing and check-in, or more complex functions, such as airline security operations, at the airports in Cuba. Instead, employees of the Cuban government—employees of the Cuban government instead of the commercial airlines may be the ones doing all of these tasks.

Even though earlier this year Lieutenant General Stewart, the director of the Defense Intelligence Agency, testified before the Senate Armed Services Committee, "Cuba also remains a critical counterintelligence threat," but the administration is telling us that we should entrust the safety and security of American citizens to the Cuban government—a country that was just removed from the state sponsors of terrorism list 1 year ago on May 29; a country

whose leaders have repeatedly derided the values and principles for which our great Nation stands. This is, to say the least, unsettling.

Historically, flights to and from Cuba have been attractive targets for terrorists and hijackers. In May 2007 2 armed Cuban soldiers went AWOL, hijacked a public bus which it ran through the airport perimeter in Havana, and attempted to hijack a plane bound for Miami. Two Cuban passenger flights were hijacked to the United States within 2 weeks in 2003. There are other examples, and I could go on.

These types of incidents, which have occurred far too many times in recent history, raise serious concerns about the ability and the willingness of Cuban officials to take airport security and passenger screening seriously.

To make matters even more concerning, on April 17 the *Washington Post* published an article on the increased flow of individuals from Afghanistan traveling to Cuba. The article states that, "Travel agents in Kabul have been surprised by Afghans showing up at their offices with Cuban visas, which are suspected of having been issued in Iran or acquired on the black market." It is suspected they use Cuba as a gateway into the United States or Canada.

Without objection, I ask unanimous consent that this article be inserted into the record.

[The information follows:]

ARTICLE SUBMITTED BY CHAIRMAN KATKO

KABUL LIBRE! ONE NEW AFGHAN TRAIL TO THE WEST GOES THROUGH CUBA.

By Tim Craig, April 17.

KABUL.—With roads to Europe increasingly blocked by strict border controls, Afghans hoping to flee war and economic peril are desperately searching for new escape routes by way of refugee camps in India, airports in Russia and even the beaches of Cuba.

The shifting travel plans—which are also seeing Afghans attempting to buy their way into Europe before leaving Kabul, through the purchase of visas—may signal the next phase in a migration crisis that is rattling world leaders and draining Afghanistan of its workforce.

After a year in which hundreds of thousands of Afghans poured into Europe by land, more migrants are now trying to skirt hostile border agents and dangerous boat trips by flying to their destinations. As a result, although human smuggling was a booming industry in Afghanistan last year, criminal rackets that trade in—visas may be reaping a windfall this year.

"People now are not willing to take great risks," said Tamin Omarzi, who works as a travel agent in Kabul's largest mall. "They want to just travel with a passport, and don't come back."

Last year, along with more than 1 million refugees from Syria and Iraq, about 250,000 Afghans journeyed to Europe in hopes of securing asylum there. Many traveled through Iran and Turkey before crossing the Aegean Sea to Greece.

Overwhelmed by the influx, European leaders have shown less sympathy for Afghans than for refugees from Syria and Iraq. Much of Afghanistan, they note, remains under the control of a Western-backed government.

Last month, the European Union reached a deal with Turkey to send migrants back to refugee camps there, effectively severing the land route to Europe.

Since then, travel agents in Kabul report that requests for visas to Iran and Turkey are down by as much as 80 percent compared with last year at this time. A United Nations report released Thursday also concluded that the flow of migrants from Afghanistan has slowed while "people reconsider destinations and subsequent optimal routes."

"There is currently lower movement but no dropoff in the people wanting to go," said Alexander Mundt, assistant representative for protection at the U.N. refugee

agency. "They are just exploring their options, their means and the right moment to go."

Plenty of Afghans are still on the move, however, in a mass migration that is raising new challenges for immigration agencies across the world.

Sulaiman Sayeedi, a travel agent in Kabul's middle-class Wazir Akbar Khan neighborhood, said there has been a surge in demand for flights to India, Indonesia, and Central Asian countries such as Tajikistan and Uzbekistan.

Once they arrive, Afghan travelers often claim refugee status with the United Nations in hopes of being resettled. In India, for example, Afghan asylum applications have doubled in recent months, according to Mundt.

Other Afghans are flying to Moscow, believing that from there they can cross into Ukraine or even Belarus and then move onward to E.U. countries.

"Some people are coming in and just asking for tickets to anywhere they can get to," Sayeedi said. "They just want a better life, a more civilized, modern life."

To achieve that in the United States or Canada, Afghans may make Cuba their gateway to the Western Hemisphere.

Over the past 2 months, travel agents in Kabul have been surprised by Afghans showing up at their offices with Cuban visas, which are suspected of having been issued in Iran or acquired on the black market.

"Ten or 15 people have come just since January asking for tickets for Cuba," Sayeedi said. "And they are not staying there. The only option is to move forward, probably on to Mexico and then America or Canada."

Other agents in Kabul also report a spike in interest in Cuba, and U.N. officials in the northern Afghan city of Kunduz say they recently encountered a family with Cuban visas. Havana has been a way station in the past for South Asians hoping to transit to Central America and from there to the United States.

Besides Cuba, some Afghans are attempting to land in South America, either to seek residency there or make the trip north toward the U.S.-Mexico border.

Rahimihi, a travel agent in Kabul's central Shar-e Naw district, recently booked flights for relatives who had obtained visas for Ecuador, as well as transit visas through Brazil.

"They first had to go to Pakistan to get the transit visa [from the Brazilian Embassy], and then left two weeks ago," said Rahimihi, who, like many Afghans, uses only one name. "They want to go to Canada."

But central and northern European countries remain Afghans' preferred destinations, reflecting the widely held belief here that Germany, Norway and Sweden are the most welcoming toward refugees.

Mohammad Unus has been deported from both Italy and Turkey over the past two years while attempting to reach Germany. Now, for his third attempt, he's working with a local travel agent.

"Since Ashraf Ghani became president, all the people want to escape from Afghanistan," Unus said, reflecting widespread concern here that Ghani's promised economic reforms haven't materialized. "I've already spent \$40,000 trying to get to Europe, and now I plan to sell my house to get there if I have to this time."

Such desperation is fueling the shady enterprise of visa dealing on the streets of Kabul.

According to travel agents, Afghans are now paying dealers \$15,000 to \$25,000 to obtain a "Schengen visa"—a reference to countries that are part of the Schengen Agreement, which was drawn up to allow unrestricted movement among 26 European nations. The business continues even though seven of those nations, including Germany and Sweden, have re-imposed temporary border controls.

The visa dealers work directly with rogue staffers at European embassies who issue the visas for a kickback, the agents claim.

"You never know who is doing it on the inside, but it's someone with a soft heart who is approving these documents," said Peer-Muhammad Roheen, managing director of Air Gateway Travel and Tours in Kabul.

One travel broker, who spoke on the condition of anonymity to discuss his sensitive business, said Afghans even with modest means are now turning to visa dealers because "people now prefer to go by air to Europe directly."

"If you got good contacts inside the embassy, you can get it done in one week," the broker said.

When visa dealers fail to obtain valid visas, they sometimes turn to even more elaborate schemes, according to travel agents.

Legal residents of Europe, for example, are being paid to travel to Afghanistan or Pakistan and then give their passports to Afghans with similar physical characteristics, said Mustafa, a travel agent in southwest Kabul who also uses only one name. The person who gives up the passport then claims it was lost or stolen.

"People will pay, and those short on cash will sell anything they have," Mustafa said.

But U.N. officials question how many Afghans will be able to afford expensive options for fleeing.

"The people with that kind of money to spend are already gone," Mundt said, adding that many of those now trying to flee are poor and middle-class families. "They may still have some means, but maybe \$6,000 to invest and not \$20,000."

The recent outflow of wealth and talent from Afghanistan has alarmed Ghani, who has been urging Afghans to stay home.

But until stability returns, travel agents expect to stay busy planning one-way trips.

"For survival, people will do anything," said Roheen, who estimates that 30 percent of urban Afghan youths hope to leave the country. "If they encounter a problem, then they will just try another option."

Sayed Salahuddin contributed to this report.

Mr. KATKO. What this article reflects is truly frightening, given the fact that Cuba currently has zero document verification machines at any of its airports. They do not have any electronic means of trying to verify whether any of the documents being presented to them are, in fact, what they purport to be and authentic.

So there you have it. These are the concerns, and they are multifaceted and serious.

We are here today not to elaborate on the merits of the administration's rapprochement with Cuba, but to take a serious look, as is our job, at the National security implications of a policy that has been pushed through at breakneck speed with seemingly minimal regard for the security and safety of the American people.

[The statement of Chairman Katko follows:]

STATEMENT OF CHAIRMAN JOHN KATKO

MAY 17, 2016

On February 16, U.S. and Cuban officials signed an accord which will allow more than 100 daily round-trip flights between the United States and Cuba. As has been the practice of this administration, the deal was signed with minimal consultation or input from Congress.

SECURITY RISKS OF RESUMING U.S. COMMERCIAL AIR SERVICE TO CUBA:



10

LAST POINT OF DEPARTURE AIRPORTS

PROPOSED BETWEEN US & CUBA



110

DAILY ROUNDTrip FLIGHTS

BETWEEN US & CUBA



90

MILES BETWEEN US & CUBA

In fact, countless attempts by this committee to attain information about various aspects of the negotiations and requirements to begin regularly scheduled commercial service to Cuba have been stonewalled. Despite having been briefed numerous times by components of the Department prior to this hearing, I learned only yesterday from a press release that on May 5 Deputy Secretary Alejandro Mayorkas

signed a Memorandum of Understanding with the Cuban government that has far-reaching implications for DHS. The administration's lack of transparency on this issue is unacceptable, and leads me to believe that the administration is either hiding something, or worse, simply negligent of the security concerns associated with this policy.

Immediately following the signing of the February 16 agreement, the Department of Transportation opened the application process for U.S. air carriers to bid on routes for regularly scheduled commercial air service to all 10 of Cuba's international airports. After a 54-year freeze in diplomatic relations, the administration is attempting to designate these 10 Cuban airports as last points of departure, or LPDs, to the United States.

Only 7 other foreign countries in the world have 10 or more LPD airports to the United States. This includes some of our closest allies and trading partners, such as the United Kingdom, Canada, and Mexico. China, with an estimated 1.3 billion people and the third-largest country in the world by land mass, has only 11 LPD airports. But the administration wants to designate 10 LPD airports in Cuba. Cuba, a country that could fit into China over 127 times. A country whose population is less than 1 percent that of China.

CUBA'S LACK OF SECURITY		
	NO	EXPLOSIVE TRACE DETECTION EQUIPMENT
	NO	PROPERLY TRAINED EXPLOSIVE DETECTION CANINES
	2	CHINESE-MADE BODY SCANNERS IN THE ENTIRE COUNTRY

In a briefing on March 17, officials from TSA stated their intention to certify 3 additional airports in Cuba as LPDs by late summer. The picture officials from TSA paint of the security situation at Cuba's airports is bleak. Cuba possesses no explosive trace detection equipment. The bomb sniffing dogs are poorly trained at best. The only 2 full-body scanners on the entire island are in Havana. These body scanners are Chinese-made, as is almost all of the security equipment the Cubans possess. TSA could offer no information on the security training, if any, that airport officials receive, and were unaware if airport workers are vetted for potential links to terrorism. Given the continued U.S. embargo, the administration is prohibited from supplying any security equipment or offering training to the Cuban government.

Additionally, TSA predicted that with the introduction of commercial air service, passenger volume would increase to a level that Cuban authorities and airport infrastructure are unprepared and perhaps unable to handle.

If the status quo remains the same, the Cuban government will not allow U.S. airlines to hire their own personnel to perform basic functions—such as ticketing and check in—or more complex functions—such as airline security operations—at the airports in Cuba. Instead, employees of the Cuban government perform all of these duties. Even though earlier this year, Lt. General Stewart, the Director of the Defense Intelligence Agency, testified before the Senate Armed Services Committee, “Cuba also remains a critical counterintelligence threat.”

But the administration is telling us that we should entrust the safety and security of American citizens to the Cuban government. A country that was just removed from the state sponsors of terrorism list 1 year ago on May 29. A country whose leaders have repeatedly derided the values and principles for which our great Nation stands. This is unsettling to say the least.

Historically, flights to and from Cuba have been attractive targets for terrorists and hijackers. In May 2007 2 armed Cuban soldiers who went AWOL hijacked a public bus which they ran through the airport perimeter in Havana in an attempt to hijack a plane bound for Miami.¹ Two Cuban passenger flights were hijacked to the United States within 2 weeks in 2003.² I could go on. These types of incidents, which have occurred far too many times in recent history, raise serious concerns about the ability and the willingness of Cuban officials to take airport security and passenger screening seriously.

The Washington Post

“Over the past two months, travel agents in Kabul have been surprised by Afghans showing up at their offices with Cuban visas, which are suspected of having been issued in Iran or acquired on the black market.”

By Tim Craig
April 17, 2016

To make matters even more concerning, on April 17, the *Washington Post* published an article on the increased flow of individuals from Afghanistan traveling to Cuba. The article states that “travel agents in Kabul have been surprised by Afghans showing up at their offices with Cuban visas, which are suspected of having been issued in Iran or acquired on the black market.” It is suspected that they use Cuba as a gateway into the United States or Canada.³ Without objection, I ask unanimous consent that this article be inserted into the record.

So there you have it. These are the concerns and they are multifaceted and serious. We are here today, not to debate the merits of the administration’s rapprochement with Cuba, but to take a serious look at the National security implications of a policy that has been pushed through at a break-neck speed, with seemingly minimal regard for the security and safety of the American people.

Mr. KATKO. With that, I now recognize the Ranking Member of this subcommittee, the gentlewoman from New York, Miss Rice, for any statement she may have.

Miss RICE. Thank you, Mr. Chairman, and thank you for convening this hearing.

I want to thank our witnesses from DHS, CBP, TSA, and the State Department for coming here today to discuss the decision to allow scheduled commercial air travel between the United States and Cuba. I know that the State Department played an important role in arranging the civil aviation partnership with Cuba, and I hope that Principal Deputy Assistant Secretary Tong can give us some insight into the process that led to this agreement.

Right now, as we know, only chartered flights operate between the United States and Cuba, but under the terms of the agreement that was announced in February, at some point this year American

¹<http://www.cbsnews.com/news/cuban-fugitives-try-to-hijack-plane/>.

²<http://www.cnn.com/2003/WORLD/americas/04/01/cuba.hijacking/>.

³https://www.washingtonpost.com/world/asia_pacific/kabul-libre-one-new-afghan-trail-to-the-west-goes-throughcuba/2016/04/16/da214926-0188-11e6-8bb1-f124a43f84dc_story.html.

air carriers will be allowed to operate more than 100 scheduled flights each day in addition to the chartered flights. Before that can happen, TSA, DHS, CPP—CBP, and other relevant agencies must verify that Cuban airports meet international security standards and are fully prepared to screen passengers and their baggage before they board a plane bound for the United States.

I am looking forward to hearing from TSA and from all of our witnesses about how they would assess Cuba's airport security right now, what they are doing to enhance security at Cuban airports, and whether they have concerns about Cuba's security capabilities. I am also looking forward to hearing how TSA is working with air carriers and what kind of regulations will be issued to further enhance security.

For instance, what mechanisms are in place to ensure that we know exactly who is on-board a flight bound for the United States? How will we ensure that we are obtaining accurate information from passengers traveling to the United States? How does the CBP intend to verify travel documents and ultimately determine whether or not a certain individual can enter the United States?

Those are some of the salient questions that I think need to be addressed in this discussion because allowing scheduled air travel between the United States and Cuba clearly has the potential to benefit both of our countries, but it also comes with unique security challenges. So I hope our conversation today will help clarify what those challenges are and how we will overcome them.

Mr. Chairman, thank you again for convening this hearing. I yield back the balance of my time.

Mr. KATKO. I now recognize the Chairman of the full committee, the gentleman from Texas, Mr. McCaul, for any statement he may have.

Chairman MCCAUL. Thank you, Chairman Katko, for holding this important hearing today and for your leadership on aviation security.

To Kathleen Rice, Ranking Member, thank you as well.

I believe that this issue of security at last-point-of-departure airports is of critical importance to our homeland security. We saw this first-hand earlier this month when I led a Congressional delegation overseas to examine the spread of Islamist militant groups, and I had the opportunity to visit Egypt and examine the security measures in place at the Cairo airport.

I think the Egyptians are making progress, but what I saw was still concerning, especially when we compared to our own airports. For instance, they are not using full-body scanners, and airport workers are apparently not fully vetted against up-to-date terror watch lists. Yet, the Cairo airport serves as a last point of departure to the United States.

Now the administration is rushing to open regularly-scheduled commercial air service to Cuba and designate 10 new airports as last points of departure into the United States. I fear that the security situation at these airports in Cuba is much, much worse than places like Cairo. While there are only 5 direct flights to the United States each week from somewhere like Egypt, the administration's proposal calls for up to 110 daily flights between the United States and Cuba.

I hope to visit Cuba in the near future with Representative Katko and others to evaluate the airport security situation myself.

The administration's plans to open direct commercial air service to Cuba is, in my judgment, being unnecessarily rushed. There are serious security concerns here that seem to be taking a back seat to a legacy-building effort. Although Cuba has taken steps to liberalize its economy in recent years, the country is still being led by a communist dictator who has been ruthless against his own people and who has brutally suppressed calls for more open and democratic governance.

Restoring relations has done little to soften the Castro regime's hateful rhetoric towards the United States or to compel the government to loosen its tyrannical grip. In fact, it has done the opposite by rewarding bad behavior, and now the regime is giving us no indication that it is acting in good faith or has the best interests of the United States or our citizens in mind.

Accordingly, we must do all we can to ensure the safety and security of Americans that choose to visit the island, and so far I remain entirely unconvinced the administration has done its due diligence. While the Obama administration may be willing to put the security of Americans at risk to appease a dictator, today's hearing will show that the United States Congress will not.

Mr. Chairman, with that I yield back.

Mr. KATKO. Thank you, Mr. Chairman.

I now recognize the Ranking Member of the full committee, the gentleman from Mississippi, Mr. Thompson, for any statement he may have.

Mr. THOMPSON. Thank you very much, Mr. Chairman. Thank you for convening this important hearing.

I welcome our witnesses, also, to this hearing.

Earlier this year the Obama administration and Cuban government finalized an arrangement that will resume commercial aviation between the United States and Cuba. We, as a committee with oversight jurisdiction of transportation security measures, have the great responsibility of ensuring that the Transportation Security Administration, the Department of Homeland Security, Customs and Border Protection, and other relevant agencies are doing their due diligence to ensure that the flights departing from Cuba to the United States are secure.

Although not last points of departure, the recent bombings of planes originating from Mogadishu, in which one was killed, and Sharm el-Sheikh, tragically killing everyone on board, serves as a stern reminder that there are those who wish to do us harm using commercial aircraft.

There are over 300 airports around the world that serve as last points of departure, or foreign airports that fly directly to the United States. The standard is always that TSA and other relevant entities perform the investigation and mitigation measures necessary to ensure that these flights are not able to be targeted by nefarious characters. As I understand it, the agencies' efforts to inspect and prepare the Cuban airports are no different than stringent inspection efforts and regulatory schemes that are in place at other last points of departure airports.

The title of this hearing, “Flying Blind,” would lead you to believe that nothing has been done to assess these airports before they schedule commercial service to and from the United States. TSA informs us that they are inspecting and evaluating airports even as we speak. These airports must have a level of security at least on par with International Civil Aviation Organization standards, and inspectors are ensuring this now. TSA also has the power to implement regulatory schemes that compel airlines to perform additional security measures beyond ICAO standards.

I look forward to hearing from Assistant Secretary Fujimura, the head of the Office of Global Strategies, on what his teams are doing to ensure security in Cuban airports and what additional mitigation measures he plans to implement.

I also look forward to hearing from Deputy Assistant Wagner, who will talk to us about the role CBP plays in foreign flight or travel prevention and fraudulent document detection efforts.

I thank Assistant Secretary Stodder for appearing today to speak on the broader aspect of DHS’s policies in these matters.

I understand that Principal Deputy Assistant Secretary Tong has a hard stop due to other engagements. It is going to be even harder because we just had votes called. So I hope you are with us for a while.

I yield back, Mr. Chairman.

[The statement of Ranking Member Thompson follows:]

STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

MARCH 2, 2016

Earlier this year, the Obama administration and Cuban government finalized an arrangement that will resume commercial aviation between the United States and Cuba. We, as a committee with oversight jurisdiction of transportation security matters, have the great responsibility of ensuring that the Transportation Security Administration, the Department of Homeland Security, Customs and Border Protection, and other relevant agencies are doing their due diligence to ensure that the flights departing from Cuba to the United States are secure.

Although not last points of departure, the recent bombings of planes originating from Mogadishu, which killed one, and Sharm al-Shiekh, tragically killing everyone on board, serve as stern reminders that there are those who wish to do us harm using commercial aircraft.

There are over 300 airports around the world that serve as last points of departure, or foreign airports that fly directly to the United States. The standard is always that TSA and other relevant government entities perform the investigations and mitigation measures necessary to ensure that these flights are not able to be targeted by nefarious characters. As I understand it, the agency’s efforts to inspect and prepare the Cuban airports are no different than the stringent inspections, efforts, and regulatory schemes that are in place at other last-point-of-departure airports.

The title of this hearing, “Flying Blind”, would lead you to believe that nothing has been done to assess these airports before they schedule commercial service to and from the United States. TSA informs us that they are inspecting and evaluating airports, even as we speak. These airports must have a level of security at least on par with International Civil Aviation Organization standards, and inspectors are ensuring this now. TSA also has the power to implement regulatory schemes that compel airlines to perform additional security measures beyond ICAO standards.

I look forward to hearing from Assistant Secretary Fujimara, the head of the Office of Global Strategies, on what his teams are doing to ensure security in Cuban airports, and what additional mitigation measures he plans to implement. I also look forward to hearing from Deputy Assistant Commissioner Wagner, who will talk to us about the role that CBP plays in foreign fighter travel prevention and fraudulent document detection efforts.

I thank Assistant Secretary Stoddard for appearing today to speak on the broader aspects of DHS policy in these matters. I understand that Principal Deputy Assistant Secretary Tong has a hard stop due to other engagements, but look forward to hearing his insight on the negotiation process that lead to the aviation arrangement with Cuba.

Mr. KATKO. Thank you.

Due to votes on the floor, the subcommittee stands in recess subject to the call of the Chair. We anticipate probably about a half an hour or so.

[Recess.]

Mr. KATKO. Thank you for coming back from that break. Sorry about that. We sometimes can't control the whims of the voting process.

But other Members of the committee are reminded that opening statements may be submitted for the record.

We are pleased to have with us 5 distinguished witnesses to testify before us today on this very important topic.

Our 4 witnesses from the Department of Homeland Security include Mr. Larry Mizell, who currently serves as TSA's representative for the Caribbean Region, which includes Cuba—is that correct? Okay. Mr. Paul Fujimura, assistant administrator for the Office of Global Strategies in—at the Transportation Security Administration; Mr. John Wagner, deputy executive assistant commissioner for Customs and Border Protection—that is a big title; Mr. Seth Stodder, the assistant secretary of homeland security for border, immigration, and trade policy at the Department of Homeland Security.

Thank you all for being here today.

I now recognize Mr. Stodder for a joint statement on behalf of all 4 witnesses from the Department of Homeland Security.

STATEMENT OF SETH STODDER, ASSISTANT SECRETARY OF HOMELAND SECURITY, BORDER, IMMIGRATION, AND TRADE POLICY, U.S. DEPARTMENT OF HOMELAND SECURITY; ACCOMPANIED BY LARRY MIZELL, TSA REPRESENTATIVE, TRANSPORTATION SECURITY ADMINISTRATION, U.S. DEPARTMENT OF HOMELAND SECURITY; PAUL FUJIMURA, ASSISTANT ADMINISTRATOR, OFFICE OF GLOBAL STRATEGIES, U.S. DEPARTMENT OF HOMELAND SECURITY; AND JOHN WAGNER, DEPUTY EXECUTIVE ASSISTANT COMMISSIONER, CUSTOMS AND BORDER PROTECTION, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. STODDER. Good afternoon, Chairman Katko, Ranking Member Rice, and distinguished Members of the subcommittee. My name is Seth Stodder and I am the assistant secretary of homeland security for border, immigration, and trade policy.

On behalf of my colleagues from DHS that sit beside me today, I thank you for the opportunity to appear before you today to discuss the Department's role in aviation security, specifically as it pertains to commercial air service between the United States and Cuba. I will be providing a brief opening statement on behalf of myself as well as my 3 DHS colleagues, and then we would look forward to answering any questions you might have.

Let me begin by discussing the DHS role in aviation security generally, and then I will get to the issues more specific to Cuba.

Since the 9/11 attacks, and with the help and support of Congress, DHS has worked to develop a robust, risk-based strategy aimed at securing aviation against threats while also facilitating the lawful flow of legitimate travel and commerce across our borders and throughout the aviation system. As repeated incidents have reminded us, from the 9/11 attacks themselves to the recent destruction of Metrojet Flight 9268 above the northern Sinai in October 2015, the aviation sector remains a target for attack or exploitation by terrorists, criminals, and other bad actors.

To meet this challenge, the DHS strategy relies upon the following core elements.

First, under U.S. law, DHS, acting through TSA, is required to assess security at all foreign airports serving as a last point of departure offering service to the United States. Pursuant to the law, TSA has people on the ground working with foreign partners, air carriers, airport authorities, and others to assess all aspects of the security at such airports. Only after TSA determines that an airport meets international security standards may that airport offer flight service to the United States.

Once flight service begins, TSA continues to inspect and monitor these airports and carriers, and it has the authority to take action if security standards are not being met or if intelligence warrants. TSA can suspend service entirely or it can issue security directives and emergency amendments for mandatory implementation by carriers at LPD locations.

Bottom line: TSA keeps a close eye on the security of foreign airports that offer air service to the United States.

Second, only those with valid travel documents are permitted to fly to the United States. Most foreign nationals seeking to travel must possess a valid visa issued by the U.S. embassy or consulate, unless they are nationals of a country that participates in the Visa Waiver Program, in which case they must apply for travel authorization through the Electronic System for Travel Authorization, or the ESTA program.

Third, both TSA and CBP collect information from passengers and air carriers so that we can identify and vet for security purposes all air passengers seeking travel to the United States. Through the Secure Flight program, TSA vets all air passengers against the Terrorist Screening Database, including the no-fly list prior to wheels up. Once travel is booked, CBP's national targeting center gathers information from the air carriers to assess risk and conduct pre-departure vetting of all passengers.

If TSA or CBP identify a security or enforcement issue, DHS will coordinate with the regional carrier liaison groups to prevent that person from boarding the flight.

Finally, on arrival all inbound air passengers and their luggage are subject to further screening by CBP before entering the United States.

This multilayered security and enforcement strategy applies to all international aviation to the United States and will also apply with equal force to the scheduled commercial aviation to and from Cuba whenever it begins. Specifically with regard to Cuba, DHS has worked closely with our interagency partners, including the

State Department, as the United States has worked to evolve our bilateral relationship.

DHS plays a key role in the U.S.-Cuba relationship by working to secure lawful, orderly flows of people and commerce between our 2 countries, and working together on law enforcement, maritime safety and security, migration, among other issues.

Most recently, DHS signed the memorandum of understanding with the Cuban ministry of the interior and customs focused on law enforcement cooperation. This week, senior DHS leaders, including the deputy secretary, are in Cuba as part of the on-going U.S.-Cuba law enforcement dialogue, co-chaired by the Departments of State, Justice, and Homeland Security, with a DHS delegation, including representatives from the U.S. Coast Guard, CBP, and ICE.

With regard to the start of scheduled air service between the United States and Cuba, as I have noted, all of the security and enforcement requirements in place for international flights to the United States will be applied with equal force to Cuba flights. Indeed, these measures are already in place with regard to the charter flights that have for many years offered service between our 2 countries.

Furthermore, TSA is working to finalize an arrangement with Cuba for the deployment of Federal air marshals, which will be in place before the start of scheduled commercial flights.

In short, DHS is working closely with our interagency partners, the commercial air carriers, and others to ensure the security of scheduled commercial flights to and from Cuba once they begin. We will continue to work together and in consultation with this committee as we work in general to strengthen on-going efforts to secure international air travel and promote safe and efficient international travel and tourism to and from the United States.

Thank you for the opportunity to testify here today, and my DHS colleagues and I look forward to answering any questions you might have.

[The joint prepared statement of Mr. Stodder, Mr. Mizell, Mr. Fujimura, and Mr. Wagner follows:]

JOINT PREPARED STATEMENT OF SETH STODDER, PAUL FUJIMURA, LARY MIZELL, AND JOHN WAGNER

MAY 17, 2016

INTRODUCTION

Good afternoon, Chairman Katko, Ranking Member Rice, and distinguished Members of the subcommittee. Thank you for the opportunity to appear before you today to discuss the Department of Homeland Security's role in aviation security as it pertains to commercial air service between the United States and Cuba.

In response to both 9/11 and evolving threats, and with the help and support of Congress, DHS has adapted and enhanced its ability to detect and mitigate a diversity of threats through a multi-layered, risk-based system. Our people do extraordinary work every day to protect the homeland from the threat of terrorist-directed attacks, and the increasing threat of terrorist-inspired attacks, while protecting our Nation's economic prosperity and the American way of life. We know terrorists, criminals, and hostile nation-states have long viewed the transportation sector, particularly aviation, as a leading target for attack or exploitation. Unfortunate demonstrations of this continued focus on the aviation environment include the attempted "Shoe Bomber" in December 2001, the attempted "Underwear Bomber" in December 2009, the attempted "Package Bomb" plot in October 2010, the destruction of Metrojet Flight 9268 above the northern Sinai in October 2015, and most recently on February 2, 2016 during an attack on Daallo Airlines, where explosives

detonated during its ascent from Adde International Airport in Mogadishu. These persistent and evolving threats to the aviation environment, to the broader transportation sector, and to the homeland in general are among DHS's most pressing challenges and require an intense and sustained focus on our security missions.

DHS security professionals here in the United States and around the globe are committed to our mission, and they are our most important resource. Last fiscal year, for example, TSA screened 695 million passengers (3 million more than last year); screened 450 million pieces of checked luggage (the highest in 6 years), and, at the same time, seized a record number 2,500 firearms from carry-on luggage, 84% of which were loaded. Also in last fiscal year, CBP screened 1 million commercial and private aircraft and 382 million travelers at land, marine, and air ports of entry to the United States. DHS relies upon intelligence-driven analysis, innovative partnerships, and advanced technology to secure and speed the movement of legitimate cargo and travelers transiting through the aviation environment each day. As the vast majority of people, goods, and services moving through our transportation systems are legitimate and pose minimal risk.

This risk-based approach will result in separating known and unknown travelers, with known travelers receiving expedited screening and other travelers, some high threat, receiving more extensive screening. To improve aviation and airport security, DHS also has enhanced security at overseas last-point-of-departure airports, and a number of foreign governments have replicated those enhancements. We continue to work domestically and abroad to address evolving challenges posed by insider threats, employee screening protocols, airport access controls, perimeter security, cybersecurity at airports, exit lane monitoring requirements, and checked baggage and air cargo screening operations. We remain deeply committed to ensuring that DHS remains a high-performing, risk-based intelligence-driven counterterrorism organization.

The Department's commitment to this approach continues as the United States begins scheduled air service between the United States and Cuba. DHS, particularly through its operational components and working closely with our United States Government interagency partners, plays a key role in the U.S.-Cuba relationship by securing flows of people and ensuring the security of authorized trade between the United States and Cuba. In DHS headquarters, the Office of Policy assists the operators, like TSA and CBP, by providing coordination across the Department and with the Federal interagency, ensuring that the work of the components of the Department and their missions represent a unified effort. As an example, the Office of Policy led the negotiations that developed a law enforcement cooperation Memorandum of Understanding between DHS and the Ministry of the Interior (MININT) and the Customs Office (AGR) of the Republic of Cuba. The MOU sets the basis of cooperation in exchanging risk information for travelers, cargo, or conveyances in international transit; the continuation of periodic, mutual, and reciprocal assessments regarding air, sea, and port security; and the coordination of transportation security, screening of cargo, travelers, and baggage, and the design of secure, efficient inspection facilities at ports and airports, among other things. Implementation of the MOU will be coordinated under the umbrella of the on-going Law Enforcement Dialogue, currently co-chaired by the Departments of State (DOS), Justice (DOJ), and DHS and the DHS delegation will include representatives from the DHS Office of Policy, U.S. Coast Guard, CBP, and Immigration and Customs Enforcement.

TSA's mission is to protect the Nation's transportation systems to ensure freedom of movement for people and commerce. Within TSA, the Office of Global Strategies (OGS) works with international and domestic partners to address security risks to international transportation modes. When a new threat or potential vulnerability emerges, TSA coordinates with foreign governments, air carriers, and international organizations to develop and implement responses that effectively mitigate the likelihood of a successful attack. This process involves measures used to identify risk in terms of threat, vulnerability, and consequence. Once a threat is identified, TSA analyzes the underlying factors and develops appropriate mitigation strategies as part of its role as an intelligence-driven counterterrorism agency.

TSA would like to take this opportunity to thank the Members and staff of the subcommittee for its continued support of TSA's international mission, as well as for developing H.R. 4698, the "Securing Aviation from Foreign Entry Points and Guarding Airports Through Enhanced Security," or SAFE GATES Act of 2016. This legislation passed the House on April 26, 2016. It would enable TSA to more effectively execute its mission, notably through authority to donate screening equipment to appropriate international partners. The bill also includes authorities pertaining to recognizing foreign cargo security programs. These authorities would assist TSA in its efforts to work with foreign partners to mitigate risks and enhance the security of transportation systems.

TSA'S INTERNATIONAL AUTHORITIES

Under title 49 of Chapter 449, of the United States Code, the Secretary of Homeland Security is required to assess security at all foreign airports served by U.S. aircraft operators as well as at foreign airports serving as last-point-of-departure (LPD) locations for foreign air carriers using the security standards adopted by the International Civil Aviation Organization (ICAO). The Secretary has delegated this duty to TSA. Under this requirement, as well as the regulations at 49 C.F.R. § 1544.3 and 1546.3, TSA OGS evaluates the effectiveness of security measures maintained at foreign locations through assessments of foreign airports and inspections of air carriers that operate from those airports. TSA collaborates closely with foreign partners, including host governments, air carriers, all-cargo air carriers, international organizations, as well as airport authorities. TSA maintains close relationships internationally through our Transportation Security Administration Representatives (TSARs), International Industry Representatives, and TSA's Transportation Security Specialists (TSSs). TSA also coordinates with multi-lateral and industry organizations, such as ICAO, International Air Transport Association (IATA), Airports Council International (ACI), QUAD, and G7 groups. TSA serves as the lead U.S. Government agency on matters of aviation security and represents the United States on the ICAO Aviation Security Panel of Experts (AVSEC Panel) and in its various working groups. All of the above support the Homeland Security mission.

COMMENCEMENT OF NEW INTERNATIONAL FLIGHT SERVICE TO THE UNITED STATES

Whenever commercial air carriers seek to launch new flight service into the United States, Federal requirements must be fulfilled prior to the commencement of those services, including safety regulations of the Federal Aviation Administration (FAA), as well as TSA's security standards.

When a new flight route is requested, TSA's Transportation Security Specialists will visit the LPD airport to determine the efficacy of security operations. TSA also conducts on-site inspections of U.S. aircraft operators, foreign air carriers, U.S. all-cargo aircraft operators, and foreign all-cargo air carriers for those operations that serve the United States from that LPD.

Additionally, TSA conducts thorough assessments to determine compliance with international security requirements. These assessments include on-site observation and verification, interviews, and document review pertaining to critical airport and air carrier operations. As part of these airport and air carrier visits, TSA's TSSs observe and determine compliance with requirements in the following areas:

- Passenger Screening
- Carry-on and Checked Baggage Screening
- Access Control
- Aircraft Security
- Cargo Security
- Incident Prevention and Response
- Airport Operations
- Mail Security, and
- Quality Control.

Flight service into the United States becomes possible once these security measures have been evaluated and determined to be in compliance with international security requirements, based on the Standards and Recommended Practices contained in Annex 17 to the Convention on International Civil Aviation, adopted by ICAO.

ENSURING CONTINUAL COMPLIANCE WITH SECURITY REQUIREMENTS

Once such commercial service has commenced, TSA conducts regular, on-going visits to these airports to ensure continued compliance and to identify any existing or potential vulnerabilities in the security operations.

TSA's methodology to determine the frequency of these assessments and inspections uses the threat, vulnerability, and consequence model. This methodology ensures that the allocation of assets is based on the likelihood of a location being targeted (threat), the protective measures in place (vulnerability), and the impact of the loss of that airport's services (consequence). Once this is determined, assessments are coordinated by the applicable TSARs and completed by a team of TSSs from 1 of our 6 Regional Operation Centers located world-wide. Our TSSs performed 289 air carrier inspections and 146 foreign airport assessments in fiscal year 2015. TSA is on a similar course for fiscal year 2016.

TSA also engages in the recognition of international programs commensurate with TSA's own requirements in the United States. The recognition of National Cargo and National Explosive Detection Canine Security Programs provide TSA with op-

portunities to identify vulnerabilities at LPD airports overseas while also engaging closely with domestic and international partners to promote information sharing. These TSA commensurability programs continued to thrive, with the recognition of now 40 National Cargo and 3 National Explosives Detection Canine Security Programs in cooperation with foreign governments, to include the 28 Member States of the European Union.

MITIGATING THE INBOUND RISK

TSA has a variety of tools to mitigate issues identified during airport or air carrier inspections. Options range from providing immediate guidance and recommendation for improvements, conducting training, recommending a Public Notice stating that the airport does not implement adequate security measures, or suspending service entirely. These last 2 responses are generally only considered when all other attempts to improve security have failed. When a specific threat is identified, or as warranted by significant vulnerabilities, TSA may issue Security Directives (SDs) and Emergency Amendments (EAs) for implementation by air carriers at selected LPD locations. SDs are regulations issued by TSA to mitigate threats posed to transportation for U.S. airport and aircraft operators, and EAs are issued to foreign air carriers. These risk-mitigating regulations apply to all U.S. air carriers, U.S. airport operators, as well as foreign air carriers operating to, from, or within the United States.

Prior to issuing SDs and EAs, TSA works with partners and stakeholders to develop effective and appropriate regulatory language to address identified vulnerabilities and communicate these new policy requirements to foreign and domestic partners. Additionally, TSA may issue information circulars to regulated parties to share security concerns, best practices, and other situational information.

COMMERCIAL FLIGHT SERVICE AND AVIATION SECURITY IN CUBA

On February 16, 2016, U.S. Transportation Secretary Anthony Foxx, Assistant Secretary of State for Economic and Business Affairs Charles Rivkin, Cuban Minister of Transportation Adel Yzquierdo Rodriguez and president of the Institute of Civil Aeronautics of Cuba (IACC), Alfredo Cordero Puig, signed an arrangement that provides for the re-establishment of scheduled air services between the United States and Cuba. Immediately following the signing, the U.S. Department of Transportation (DOT) instituted a proceeding and invited U.S. air carriers to apply for an allocation of the new opportunities provided by the arrangement.

Under the arrangement, U.S. carriers may operate up to 20 daily round-trip flights between the United States and Havana and up to 10 daily round-trip flights between the United States and each of Cuba's 9 other international airports, for a total of 110 daily round-trip flights between the United States and Cuba. We expect the new services to begin later this year.

TSA currently assesses Cuban airports in Cienfuegos, Camaguey, Havana, Holguin, Manzanillo, Santiago, and Santa Clara. TSA has reconfirmed its commitment to respond in a timely manner for assessments at any new start-up airports that are approved for service between Cuba and the United States. New LPD service could begin later this year at 3 additional Cuban airports: Matanzas, Cayo Coco, and Cayo Largo.

For the past 5½ years, TSA and the IACC have enjoyed a strong, professional relationship. During this period, the IACC has responded favorably to every aviation security initiative proposed by TSA. Through the work of TSA personnel and our Cuban counterparts, we have made important advancements in securing this new aviation security partnership. The Cuban representatives associated with IACC are highly professional and eager to achieve the best security possible. They maintain the required aviation security posture at all LPD airports, despite challenges posed by limited access to equipment and training.

DEPLOYMENT OF FEDERAL AIR MARSHALS

TSA is working to finalize an arrangement with the government of Cuba on the deployment of Federal Air Marshals (FAMs) on flights between the United States and Cuba. The initial arrangement will apply only to public charter flights. Once scheduled flights begin later this year, a new FAMs arrangement will be necessary to cover those flights.

VETTING OF PASSENGERS THROUGH SECURE FLIGHT

Cuba's national air carrier, Cubana de Aviación does not currently provide service to the United States, but overflies the United States en route to Canada. TSA has

required the air carrier to establish a TSA security program and provide passenger information to TSA for vetting against the Terrorist Screening Database via Secure Flight. Current regulations require that flights of foreign registered aircraft transiting or operating within U.S. territorial airspace meet specific conditions. One of those conditions is to operate under an approved TSA Secure Flight Program or through an approved FAA/TSA airspace waiver. Since Cubana de Aviación does not fly to U.S. airports, it does not currently qualify for a full TSA security program and instead operates under a limited security program.

On February 13, 2016, executives from Cubana de Aviación briefed TSA on their latest efforts to implement Secure Flight for flights through U.S. airspace between Canada and Cuba. Aggressive testing of procedures has been completed. On Monday, April 4, 2016, Secure Flight received the first successful submissions in the live production system for Cubana de Aviación.

TSA is coordinating with the DOT and the IACC to ensure that security for forthcoming scheduled air service between our countries meets TSA's requirements as well as the high security expectations of the U.S. traveling public. Through the successful growth of our working relationship with the IACC, TSA has seen a commitment to aviation security as the IACC has been receptive to all proposals put forward by TSA to enhance security. The 7 Cuban airports currently assessed and inspected by TSA meet the international standards adopted by ICAO. In the coming months, and as more information becomes available from DOT on the allocation of frequencies, TSA will continue to engage with U.S., Cuban, and industry stakeholders to ensure the security of all commercial flight service between the United States and Cuba.

CBP's approach to securing and facilitating the travel of Cuban nationals on commercial flights to and from the United States will be identical to our approach for any other international flight. CBP's intelligence-driven strategy is integrated into every aspect of our travel security operations at every stage along the international travel sequence—including when an individual applies for U.S. travel documents; reserves, books, or purchases an airline ticket; checks-in at an airport; while en route; and upon arrival at a U.S. port of entry (POE). This multi-layered approach is designed to detect, identify, and prevent dangerous or inadmissible individuals from boarding planes bound for the United States.

PRE-DEPARTURE SAFEGUARDS

On a typical day, CBP welcomes to the United States nearly 1 million travelers at our air, land, and sea POEs, almost 300,000 of whom arrive by air. One of the initial layers of defense in securing international air travel is preventing dangerous persons from obtaining visas, travel authorizations, and boarding passes. Before boarding a flight destined for the United States, most foreign nationals,¹ including Cuban nationals, must obtain a nonimmigrant or immigrant visa—issued by a U.S. embassy or consulate—or, if they are eligible to travel under the Visa Waiver Program (VWP), they must apply for a travel authorization through the Electronic System for Travel Authorization (ESTA).²

Through ESTA, CBP conducts enhanced vetting of VWP applicants in advance of travel to the United States, to assess whether they are eligible to travel under the VWP, could pose a risk to the United States or the public at large. In response to increasing concerns regarding foreign fighters and other terrorist threats, DHS recently strengthened the security of VWP by implementing enhancements to ESTA. These enhancements include a series of additional questions VWP travelers must answer on the ESTA application, including other names or citizenships; parents' names; contact and employment information; and city of birth. These improvements are designed to provide an additional layer of security for the VWP and increase our ability to distinguish between lawful applicants and individuals of concern.

Any traveler who requires a nonimmigrant visa to travel to the United States must apply to the Department of State (DOS) under specific visa categories depending on the purpose of their travel, including those as visitors for business, pleasure, study, and employment-based purposes. Prior to the issuance of a visa, the DOS screens every visa applicant's biographic data against the DOS Consular Lookout and Support System, and provides data to the inter-agency community via the streamlined DOS Security Advisory Opinion (SAO) process to alert consular officers

¹ Exceptions would be citizens of countries under other visa exempt authority, such as Canada. Citizens of countries under visa exempt authority entering the United States via air are subjected to CBP's vetting and inspection processes prior to departure. In the land environment, they are subjected to CBP processing upon arrival at a U.S. POE.

² Cuban nationals, who are dual citizens with VWP countries, may apply for authorization to travel under the VWP through CBP's ESTA.

to the existence of Terrorist Screening Database (TSDB) files or records related to potential visa ineligibilities. DOS also checks the applicant's biometric data (i.e., fingerprints and facial images) against other U.S. Government databases for records indicating potential security, criminal, and immigration violations.

In an effort to augment and expand visa security operations, ICE Visa Security Program (VSP) personnel are co-located with CBP personnel at the National Targeting Center (NTC) to conduct thorough and collaborative analysis and in-depth investigations of high-risk visa applicants. The VSP is focused on identifying terrorists and criminal suspects and preventing them from exploiting the visa process, while the NTC provides tactical targeting and analytical research in support of preventing terrorist and terrorist weapons from entering the United States.

Furthermore, ICE, CBP, and DOS have implemented an automated visa application screening process that significantly expands DHS's ability to identify serious threats to National security and public safety. The program enables synchronized reviews of information across these agencies and allows for a unified DHS response and recommendation regarding a visa applicant's eligibility to receive a visa. This process also serves as a precursor to and works in conjunction with the current DOS SAO and Advisory Opinion (AO) programs. The collaborative program leverages the 3 agencies' expertise, authorities, and technologies, such as CBP's Automated Targeting System (ATS), to screen pre-adjudicated (approved) visa applications and enhance the U.S. Government's anti-terrorism efforts.

Once travel is booked, CBP's NTC gathers information, assesses risk, and conducts pre-departure vetting for all international flights departing for the United States by commercial air. CBP leverages all available advance passenger data³—including Passenger Name Record (PNR) and Advance Passenger Information System (APIS) data, previous crossing information, intelligence, and law enforcement information, as well as open source information in its anti-terrorism efforts at the NTC—to make risk-based operational decisions before a passenger boards an aircraft, continuing until the traveler enters the United States.

The NTC vetting process for international passengers continues while the flight is en route to the United States to identify any travelers who, although not necessarily National security risks, may need a more thorough inspection at the port of entry upon arrival in the United States. Furthermore, CBP's pre-departure vetting efforts work in concert with the Transportation Security Administration's (TSA) Secure Flight program, which vets 100 percent of passengers flying to, from, over, and within the United States against the No-Fly and Selectee portions of the TSDB.

Supported by these targeting efforts, CBP uses overseas enforcement capabilities and partnerships to extend our zone of security. For international flights to and from Cuba, CBP will coordinate with the Regional Carrier Liaison Groups (RCLG) to prevent terrorists and other inadmissible aliens from boarding U.S.-bound commercial aircraft. The RCLGs, which are located in Honolulu, Miami, and New York, are staffed by CBP Officers and utilize established relationships with the commercial airlines to prevent passengers who may pose a security threat, who present fraudulent documents, or those who are otherwise inadmissible from boarding flights to the United States.

ARRIVAL PROCESSING

CBP's use of advance information and targeting are key elements of CBP's multi-layered security strategy to address concerns long before they reach the physical border of the United States. It is important to note that upon arrival in the United States, all persons, regardless of citizenship, are subject to inspection by CBP Officers. CBP Officers review entry documents, collect biometrics,⁴ query CBP and other

³When a traveler purchases a ticket for travel to the United States, a PNR is generated in the airline's reservation system. PNR data contains information on itinerary, co-travelers, changes to the reservation, and payment information. CBP receives passenger data from commercial air carriers at various intervals up to 96 hours prior to departure and concluding at the scheduled departure time. Further, APIS regulations require that commercial air carriers transmit all passenger and crew manifest information before departure, prior to securing the aircraft doors. CBP vets APIS information, which includes passenger biographic data and travel document information, on all international flights to and from the United States against the Terrorist Screening Database, criminal history information, records of lost or stolen passports, public health records, and prior immigration or customs violations and visa refusals.

⁴Generally speaking, biometrics are collected from aliens arriving at U.S. airports, except for: (i) Certain Canadian citizens temporarily visiting the United States; (ii) children under the age of 14; (iii) persons over the age of 79; and (iv) aliens admitted on A-1, A-2, C-3 (except for attendants, servants, or personal employees of accredited officials), G-1, G-2, G-3, G-4, NATO-1, NATO-2, NATO-3, NATO-4, NATO-5, or NATO-6 visas; and (v) certain Taiwan officials who hold E-1 visas or members of their immediate family who hold E-1 visas.

law enforcement databases with both biographic and biometric information, and interview each traveler to confirm identity, determine the purpose and intent of their travel, and whether any further inspection is necessary based on, among other things, National security, admissibility, customs, or agriculture concerns.

Cuban citizens do have a unique processing ability under the *Cuban Adjustment Act* (CAA), Pub. L. 89-732, which allows Cuban citizens who are inspected and admitted or paroled into the United States to file for Lawful Permanent Resident status after being present in the United States for 1 year and 1 day.

During arrival processing, CBP Officers remove from circulation all counterfeit, fraudulent, and altered travel documents, as well as lost or stolen travel documents presented for use by an individual other than the rightful holder. CBP's Fraudulent Document Analysis Unit maintains a central fraudulent document repository and provides analysis, intelligence, alerts, and training back to the field. Furthermore, through the Carrier Liaison Program (CLP), CBP Officers provide interactive training to commercial air carrier participants to improve the air carrier's ability to detect and disrupt improperly documented passengers. Since the program's inception in 2005, CLP has provided training to more than 36,341 airline industry personnel. In consultation with the Department of State, CBP has tentatively scheduled a 1-week CLP training mission for airline personnel in Havana for September 2016.

CONCLUSION

In support of U.S. foreign policy towards Cuba, DHS, CBP, and TSA are working with our Federal and international partners—as well as commercial carriers—to ensure the security and facilitation of the increased volume of commercial air travelers from Cuba. We will continue to collaborate to strengthen on-going efforts to secure international air travel against terrorists and other threats, and promote safe and efficient international travel and tourism to the United States.

Chairman Katko, Ranking Member Rice, and Members of the subcommittee, thank you for the opportunity to testify today. We look forward to answering your questions.

Mr. KATKO. Thank you, Mr. Stodder.

I now recognize Mr. Kurt Tong, principal deputy assistant secretary for the Bureau of Economic and Business Affairs at the U.S. State Department, for his testimony.

STATEMENT OF KURT TONG, PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU OF ECONOMIC AND BUSINESS AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. TONG. Thank you, Chairman Katko, Ranking Member Rice, distinguished Members of the committee. I welcome this opportunity to testify on behalf of the Department of State regarding the process and rationale for negotiating an arrangement—the arrangement recently signed between the United States and Cuba on international air transportation between our 2 countries.

Consistent with U.S. law and long-standing practice, the Department of State leads U.S. delegations in negotiating with foreign governments on bilateral aviation agreements and arrangements, in consultation with the Departments of Transportation and Commerce and other departments and agencies as appropriate. Shortly after the President's December 17, 2014 announcement that the United States would be taking a number of steps to work towards normalizing relations with Cuba, and after coordinating with all relevant agencies, the Department of State approached the government of Cuba to propose technical discussions on restoring scheduled commercial air service.

For many years all air travel between the United States and Cuba has been via charter service. Charter flights have adequately served the relatively low levels of travel between the United States and Cuba during those decades of strained relations, but amid the

process of normalization, the administration aimed to expand authorized travel and people-to-people contacts between the United States and Cuba.

By expanding people-to-people ties, we believe that we can more effectively support the aspirations of the Cuban people for a better life. The administration therefore concluded that restoring scheduled air service would be necessary to accomplish those objectives. The Cuban government accepted our proposal to hold technical discussions about the modalities for restoring scheduled air service, and the department also informed U.S. industry about our plans and received the airline industry's full and enthusiastic support for this effort.

The United States and Cuban governments held 3 rounds of technical discussions in March, September, and December of 2015, and the U.S. delegation comprised officials from 5 Federal agencies: The Departments of State, Transportation, and Commerce, as well as the Transportation Security Administration and the Department of Treasury's Office of Foreign Assets Control. OFAC simultaneously also amended its Cuban Assets Control Regulations in January 2015 to allow, by general license, U.S. carriers to offer scheduled service between the United States and Cuba to authorized travelers.

At the third round of consultations in Washington in December 2015, the United States and Cuba finalized the text of a memorandum of understanding, which was signed in Havana in February 2016 by Secretary of Transportation Anthony Foxx and Assistant Secretary of State for Economic and Business Affairs Charles Rivkin signing for the United States.

This MOU is an informal, non-binding arrangement delineating the terms for international air transportation between the 2 countries. With respect to scheduled service, the MOU provides for U.S. carriers to operate 20 daily round-trip frequencies to Havana and 10 daily round-trip frequencies to each of the 9 other Cuban cities with an international airport. It also provides for charter services to continue to operate without limitation.

U.S. carriers, the reaction from them, they are very eager to offer scheduled service to Cuba, and they universally welcome the new MOU and have now submitted applications to the Department of Transportation to operate flights on specific routes to Havana and other Cuban cities.

In the case of Havana, applications for U.S. carriers far exceed the MOU's limit of 20 frequencies per day. The Department of Transportation is currently conducting a frequency allocation proceeding to determine which U.S. carriers will receive frequencies—that procedure based on the public interest.

We believe this new MOU will support the objectives of promoting authorized travel between the United States and Cuba and people-to-people contacts. The MOU will also generate new business opportunities for the U.S. aviation industry and help create American jobs.

If I could anticipate a couple of questions with regard to the use of an informal arrangement at this time, the reason why we had a limited negotiating objective, dissimilar from our usual approach with bilateral—such bilateral negotiations, which is to aim for an

open-skies agreement fitting our open-skies model, was based upon our understanding of, if you will, how much the traffic would bear in terms of demand, given the on-going restrictions on travel and trade between the United States and Cuba.

Throughout the negotiations with Cuba, the U.S. negotiators carefully articulated to Cuban counterparts those aspects of U.S. regulations affecting Cuba that have changed and those that have not changed. For example, the MOU does not affect or change current U.S. travel restrictions; it does not change—persons subject to U.S. jurisdiction who travel to Cuba must still be authorized by general or specific license under one of the 13 categories of authorized travel.

While negotiating the MOU, the U.S. and Cuban governments reaffirmed their commitment to strengthen their already close cooperation on aviation safety and aviation security matters. They reaffirmed their commitment to abide by the provisions of international conventions relating to aviation security and to act in conformity with aviation security standards and appropriate recommended practices established by the International Civil Aviation Organization.

As noted, a representative of the Transportation Security Administration participated in the U.S. delegation throughout these negotiations and provided valuable advice on TSA's on-going cooperation with the Cuban government to strengthen aviation security.

Thank you very much for this opportunity.

[The prepared statement of Mr. Tong follows:]

PREPARED STATEMENT OF KURT TONG

MAY 17, 2016

Good morning, Chairman Katko, Ranking Member Rice, and distinguished Members of the subcommittee. Thank you for the opportunity to appear before you today to discuss the role of the Department of State, Bureau for Economic and Business Affairs, in negotiating the informal arrangement recently signed between the United States and Cuba on international air transportation between the 2 countries.

Consistent with U.S. law and long-standing practice, the Department of State leads U.S. delegations in negotiations with foreign governments on bilateral aviation agreements and arrangements, in consultation with the Departments of Transportation and Commerce and other Departments and agencies, as appropriate.

Shortly after the President's December 17, 2014, announcement that the United States would be taking a number of steps to work toward normalizing relations with Cuba, and after coordinating with all relevant agencies, the Department of State approached the government of Cuba to propose technical discussions on restoring scheduled commercial air service. For many years, all air travel between the United States and Cuba has been via charter service. Charter flights have adequately served the relatively low levels of travel between the United States and Cuba during decades of strained relations. Amid the process of normalization, the administration aimed to expand authorized travel and people-to-people contacts between the United States and Cuba. By expanding people-to-people ties, we believe we can more effectively support the Cuban people. The administration concluded that restoring scheduled air service would be necessary to accomplish those objectives. The Cuban government accepted our proposal to hold technical discussions about the modalities for restoring scheduled air service. The Department also informed U.S. industry about our plans and received the airline industry's full support for this effort.

The U.S. and Cuban governments held 3 rounds of technical discussions: In Washington in March and December 2015 and in Havana in September 2015. The U.S. delegation comprised officials from 5 Federal agencies: the Departments of State, Transportation, and Commerce, as well as the Transportation Security Administration and the Department of the Treasury, Office of Foreign Assets Control (OFAC). OFAC also amended its Cuban Assets Control Regulations (31 C.F.R. Part 515) in

January 2015 to allow by general license U.S. carriers to offer scheduled service between the United States and Cuba to authorized travelers.

At the third round of consultations in Washington in December 2015, the United States and Cuba finalized the text of a Memorandum of Understanding (MOU), which was signed in Havana in February 2016. Secretary of Transportation Anthony Foxx and Assistant Secretary of State for Economic and Business Affairs Charles Rivkin signed for the United States. The Cuban Minister of Transportation and head of the Cuban Civil Aviation Authority signed for Cuba.

The MOU is an informal, non-binding arrangement delineating the terms for international air transportation between the countries. With respect to scheduled service, the MOU provides for U.S. carriers to operate 20 daily round-trip frequencies to Havana and 10 daily round-trip frequencies to each of the 9 other Cuban cities with an international airport. It also provides for charter service to continue to operate without limitation.

U.S. carriers are eager to offer scheduled service to Cuba. They universally welcomed the new MOU and have now submitted applications to the Department of Transportation (DOT) to operate flights on specific routes to Havana and other Cuban cities. In the case of Havana, applications from U.S. carriers far exceed the MOU's limit of 20 frequencies per day. DOT is currently conducting a frequency allocation proceeding to determine which U.S. carriers will receive frequencies, based on the public interest.

We believe this new MOU will support the objectives of promoting authorized travel between the United States and Cuba and people-to-people contacts. The MOU will also generate new business opportunities for the U.S. aviation industry and help create American jobs.

Throughout the negotiations with Cuba, U.S. negotiators carefully articulated to Cuban counterparts those aspects of U.S. regulations affecting Cuba that have changed and those that have not changed. For example, the MOU does not affect or change current U.S. travel restrictions; persons subject to U.S. jurisdiction who travel to Cuba still must be authorized by general or specific license under one of the 12 categories of authorized travel.

While negotiating the MOU, the U.S. and Cuban governments reaffirmed their commitment to strengthen their already close cooperation on aviation safety and security matters. They affirmed their commitment to abide by the provisions of international conventions relating to aviation security, and to act in conformity with aviation security standards and appropriate recommended practices established by the International Civil Aviation Organization. As noted, a representative of the Transportation Security Administration (TSA) participated in the U.S. delegation to these negotiations and provided valuable advice on TSA's on-going cooperation with the Cuban government to strengthen aviation security.

Thank you very much. I look forward to any questions you may have.

Mr. KATKO. Thank you, Mr. Tong, for your testimony. I understand you have a hard stop at 3:30?

Mr. TONG. I would like to be able to honor that because I don't want to create a diplomatic incident with a Japanese colleague who is doing a panel together with me at 3:30.

Mr. KATKO. I understand that. So I think we can dismiss you now but, Mr. Tong, I want to thank you for your testimony, and Members will provide you with questions in writing and we would appreciate your responses within a 10-day period. At this time you are dismissed, so thank you very—

Mr. TONG. I look forward to responding. Thank you.

Mr. KATKO. I also want to ask unanimous consent that the gentleman from Pennsylvania, Mr. Perry, be allowed to sit on the dais and participate in today's hearing.

Without objection, so ordered.

I now recognize myself for 5 minutes of questions.

I thank you gentleman for all being here this afternoon, and I doubt that I am going to get through everything I can in the first round here, but we will see. I would appreciate, you know, brief and concise answers to the best of your ability, and I will start with Mr. Mizell.

Mr. Mizell, what is your title currently?

Mr. MIZELL. My current title is TSA representative. I am based in Nassau, Bahamas, and it covers several different countries, most particularly being Cuba, Haiti, and the Bahamas.

Mr. KATKO. Thank you.

In that capacity, have you been asked to review the airports—the LPD airports in question in Cuba?

Mr. MIZELL. I don't necessarily review them. I am not an inspector. My goal is to—and my job is to work with the foreign government—the government of Cuba in this case—and ensure that they meet all the security requirements that currently exist.

I share with them best practices, lessons learned. One very important aspect of my job is to ensure that once the inspectors have identified a deficiency, if any, I work closely with the Government to ensure that that deficiency is corrected.

Mr. KATKO. Have you visited the 10 LPD airports?

Mr. MIZELL. I have not visited the 10 LPDs. There are only currently 7 LPDs—

Mr. KATKO. How many have you visited?

Mr. MIZELL. I have visited all 7 of the—

Mr. KATKO. Okay. Thank you.

Now, with respect to the ones that you have visited, do you recall speaking with us prior to coming in here today and giving us some general under—general findings from those visits? Do you remember telling us about the general—what you general—your general observations from those visits?

Mr. MIZELL. Yes, sir.

Mr. KATKO. Okay.

Now, can you tell me in those 7 airports that you visited, how many of them have explosive trace detection equipment?

Mr. MIZELL. The last time I spoke with you, sir, we were in a closed session and I spoke frankly about what we had and what we did not have within Cuba. With this open session I am reluctant to get into exactly what equipment they have.

Mr. KATKO. Let me pause for a moment, please.

So just for the record—I want to be clear—are you saying that the information you provided to us in a non-secure setting is considered SSI information?

Mr. MIZELL. Yes, sir.

Mr. KATKO. Okay. Then we will probably have to move this to a secure hearing at some point. Is that correct?

Okay. Give me 1 second.

Okay. I just want to make sure the record is clear. You understand I have to make a record as well, sir.

Now, with respect to the canine discussion we had with respect to those 7 LPDs, is it your still—is it your understanding or your position that those are also SSI?

Mr. MIZELL. Yes, sir. It is a level of security that is out there, so again, SSI.

Mr. KATKO. Okay. With respect to your discussion about body scanners, you are saying that is SSI as well?

Mr. MIZELL. Yes, sir. All of the equipment.

Mr. KATKO. Okay. With respect to the training that we discuss, the lack thereof, of the Cuban airport personnel, is that also SSI in your opinion?

Mr. MIZELL. We don't conduct training, so there is nothing to discuss, really.

Mr. KATKO. Well, let's discuss that, then, if there is nothing to discuss of a sensitive nature. Do you know how the Cuban authorities train their airport personnel?

Mr. MIZELL. No, sir.

Mr. KATKO. Okay. Do you have any idea what type of background checks are done of Cuban employees that are entrusted with scanning documents and bags that come into the airports?

Mr. MIZELL. I do not.

Mr. KATKO. Does anybody in the United States Government have any idea what that is?

Mr. FUJIMARA. Sir. Yes, sir.

Mr. KATKO. And you are Mr. Fujimura, yes.

Mr. FUJIMARA. Thank you, sir. The TSA Foreign Airport Assessment program is—operates under the authority of Title 49 U.S. Code—

Mr. KATKO. Mr. Fujimura, I am sorry—time. Do you understand if there is any training—what type of training these airport personnel have?

Mr. FUJIMARA. Yes, sir. So the ICAO standards require that airport personnel who work at the airport are trained and undergo background investigations and are cleared according to the national authorities operating Cuba.

Our TSSs, our inspectors, have gone to Cuba and they have ascertained that Cuba does meet all the ICAO standards, including in access control and background checks, sir.

Mr. KATKO. Thank you very much.

Now, with respect to the—I think, Mr. Stodder, you mentioned it—document verification, or the travel documents—and I know we spoke about the document verification capabilities or lack thereof with respect to the Cuban airports. Do you consider those answers that you gave us in that meeting to be SSI as well?

Mr. MIZELL. Yes, sir.

Mr. KATKO. Okay. All right.

Somebody mentioned the Federal Air Marshal Service here. Who mentioned? Mr. Stodder?

Mr. STODDER. Yes.

Mr. KATKO. Thank you. With respect to the Federal Air Marshal Service, is it your testimony that there will be no flights from the United States—from Cuba to the United States unless the Federal Air Marshal Service has been allowed to be on those flights, like they normally do elsewhere in the world?

Mr. STODDER. Yes.

[Additional information follows:]

SUPPLEMENTAL INFORMATION SUBMITTED BY DHS

DHS encourages countries with Last-Point-of-Departure air carrier service to the United States to enter into agreements or arrangements regarding the deployment of Federal Air Marshals, but it is not a legal requirement. There are many additional passenger flights to the United States from countries with which there is no such agreement or arrangement in place. DHS is exploring the possibility of negoti-

ating an agreement or arrangement in place. DHS is exploring the possibility of negotiating an agreement or arrangement with Cuba regarding the deployment of Federal Air Marshals on scheduled flights. DHS recently completed negotiations of an arrangement that would cover charter flights.

Mr. KATKO. Okay. Thank you. You just don't know what that time frame is?

Mr. STODDER. I mean, that agreement is still being under negotiation, but it is being negotiated now.

Mr. KATKO. So there will be no flights until that—until the Federal Air Marshals are allowed to be on the flights?

Mr. STODDER. Correct.

[Additional information follows:]

SUPPLEMENTAL INFORMATION SUBMITTED BY DHS

DHS encourages countries with Last Point of Departure air carrier service to the United States to enter into agreements or arrangements regarding the deployment of Federal Air Marshals, but it is not a legal requirement. There are many additional passenger flights to the United States from countries with which there is no such agreement or arrangement in place. DHS is exploring the possibility of negotiating an agreement or arrangement in place, including current flights between the United States and Cuba. DHS is exploring the possibility of negotiating an agreement or arrangement with Cuba regarding the deployment of Federal Air Marshals on scheduled flights. DHS recently completed negotiations of an arrangement that would cover charter flights.

Mr. KATKO. Okay. And when do you expect flights to begin between—the commercial flights to begin between the United States and Cuba?

Mr. STODDER. That is really a question for the Department of Transportation at this point. I mean, that is really more in their hands.

Mr. KATKO. What do you anticipate?

Mr. STODDER. We don't know.

Mr. KATKO. Okay.

Now, Mr. Mizell or others that are handling this SSI inquiry that we spoke about, I paused us because I did not understand that to be matters of importance because you did not delineate that when we spoke; we simply sat down and had a conversation in a non-secure setting. So forgive me for raising those questions. But we are going to submit questions to you and you are going to—and I want you to designate for us which ones you believe to be SSI.

Now, is it fair to say, though, during that meeting that you had some pretty significant concerns about some of the security aspects at those airports?

Mr. MIZELL. The concerns I had that I shared with you was over a 5-year period. Certainly I had concerns at the beginning, which I don't have now.

Mr. KATKO. So you don't have any concerns whatsoever right now?

Mr. MIZELL. Right now the government of Cuba airports that have been assessed and inspected by the inspectors meet ICAO standards.

Mr. KATKO. Now, that is not my question, sir. My question is I am talking about you. Based on your personal observations, do you have concerns? Because you certainly—you annunciated those to us in that meeting.

Mr. MIZELL. I shared concerns with you from what I saw early on, which was quite different than the situation we have today.

Mr. KATKO. So it is your testimony here today that you have no more concerns about any of the security aspects at these LPD airports?

Mr. MIZELL. My testimony is that they meet the standards required by ICAO.

Mr. KATKO. That is not the question, sir.

Mr. MIZELL. As long as they meet the standards required by ICAO, if there is anything else I can do to improve security, I will certainly do so.

Mr. KATKO. Okay. I will try and ask one more time: Do you have any concerns about the security aspects at those airports, based on your own personal opinion?

Mr. MIZELL. My same answer applies, sir. The concerns I have are very minor compared to what we were looking at 5 years ago.

Mr. KATKO. So, okay, but you are still not going to answer the question of whether you have concerns or not?

Mr. MIZELL. Sir, they meet ICAO standards.

Mr. KATKO. Okay. We will move on.

I have one question, and I—any of you gentlemen can answer this question if you would like. The question I have is why the rush? Why the rush to open 10 airports, which is an awfully large number of airports, from a country that we have had very little relationship with in the past 5 decades? Why the rush in getting this done so quickly?

Why 10 airports to start? Why not start with a few and see how it goes?

Mr. STODDER. That is a question really sort-of best directed, I think, to the Department of Transportation and the State Department, with regard to the U.S.—broader U.S. policy on opening commercial aviation with Cuba.

Mr. KATKO. You don't have any opinion on the matter?

Mr. STODDER. I don't really have an opinion on that.

Mr. KATKO. Okay.

Anybody else have any input on that?

Mr. FUJIMARA. Sir, I would note that, as Mr. Tong pointed out, public charters have been operating for some time, and they are operating from 6 current last-point-of-departure airports, and they fully meet ICAO standards, and we are completely comfortable with the security standards that are being met on those flights.

Mr. KATKO. Okay. Well, you are talking about approximately 100 more flights a day. Is that correct?

Mr. FUJIMARA. Sir, I think the number of flights is a Department of Transportation question that is not my area, sir.

Mr. KATKO. Well, if your area is security, assuming there are 100 more flights a day, which we have been told at least that—perhaps as many as 110 a day—isn't it fair to say that the infrastructure at those airports is such that it may put stress on the infrastructure capabilities quite a bit?

Mr. FUJIMARA. Sir, I wouldn't want to speculate on the capacity of the Cuban infrastructure. I would note, however, that flights from Europe involving many of the major European carriers are flying into Cuba every day, as well as regional traffic is coming in

and out of Cuba. It is a very heavily trafficked airport, so I would note that and that there are—is—they are currently meeting all ICAO standards and major aircraft operators are comfortable flying in and out of Cuba, as well.

Mr. KATKO. Have you been to Cuba yourself and have observed these airports?

Mr. FUJIMARA. No, sir, I have not been to Cuba.

Mr. KATKO. Okay.

Mr. Mizell, you have been to Cuba and you have observed the Havana airport. Am I correct?

Mr. MIZELL. That is correct.

Mr. KATKO. Is it fair to say that it is going to put a stress on that airport when they have an increase—a large increase in the passenger travel there?

Mr. MIZELL. I know the Cubans have been working on terminal 3, where the international flights all come into. The number of flights into each terminal has not been determined; that is something that will be worked out between the Cubans and the air carriers. So whether or not there is going to be a crunch remains to be seen.

Mr. KATKO. Do you have any observations based on what you have learned so far? Because you certainly expressed them to us before.

Mr. MIZELL. The only observations that I observed that were of concern was the fact that they lacked a couple of buses so when it was raining we had delays getting off the aircraft.

Mr. KATKO. No other concerns?

Mr. MIZELL. No, sir.

Mr. KATKO. Okay.

Thank you for your time.

Miss Rice. I now recognize Miss Rice for 5 minutes of questioning.

Miss RICE. So I just want to assure all of you that this is not a criminal inquiry, much to the, you know, to the tone that the questions have taken so far. I like to think that this is an information-gathering hearing, that all of you clearly feel that you have some information that would be good to see exactly how this whole process is being set up.

One of the questions that I have for you, Mr. Mizell, which I think you will be able to answer is: Is it—is there—has there been a statement on behalf of the Cuban government that they are going to be investing in infrastructure to be able to deal with the increase in tourism and flights and cruise ships and everything else, in terms of now that, you know, the—there is this new relationship?

Mr. MIZELL. The investment into the cruise ship industry I am not familiar with.

Miss RICE. I am just talking about in terms of what Chairman Katko was just asking about, in terms of does the—can the infrastructure handle this? Has there been a commitment, to the best of your knowledge, by the Cuban government to actually put money into the infrastructure to be able to handle the increase in flights if they—it comes to that point?

Mr. MIZELL. As I mentioned, they have a project underway at terminal 3, where the international flights come into other than

U.S. flights. Whether or not the Cuban government plans to divert some of the U.S. flights to terminal 3 remains to be seen.

Miss RICE. Mr. Fujimura, I have a question for you. There are 7 airports that are LPD airports in Cuba that we are talking about here, although the number 10 has been thrown around. We are talking about 7 airports?

Mr. FUJIMARA. There are currently 7 LPD-designated airports but only 6 are active at this time for—

Miss RICE. So we will work with—

Mr. FUJIMARA [continuing]. Public charter flights.

Miss RICE. So we will work with the number 6. So with the inspection of these 6 LPD airports by the TSA, any different than any other airport operating as an LPD airport anywhere around the world?

Mr. FUJIMARA. No. Our TSA assessment program is very standardized. We have a cadre of about 150 inspectors who work around the world and they follow a very clearly-articulated job aid, that assists them in conducting these assessments. It is a very regular process that we operate around the world.

Miss RICE. Now, how regularly is the TSA going to be inspecting the 6 LPD airports in Cuba?

Mr. FUJIMARA. We will be there annually to look at the airports on a regular basis. If we are talking about any kind of start of service or changes, our TSA inspectors are there before service starts up, while service is starting to ensure that everything is going smoothly, and they will be there afterwards after about a 30-day period to make sure that operations are running smoothly and normally and in accordance with ICAO standards.

Miss RICE. So now, in your opinion, how secure is flying to and from Cuban airports compared to any other LPD airports in the world?

Mr. FUJIMARA. I would be very comfortable flying from Cuba myself. They meet international standards.

Miss RICE. So, you know, we were talking before about the *Inspire*—the most recent issue of *Inspire* magazine. If you think you can answer this, can you talk a little bit about where you think Cuba fits into the larger threat picture that TSA and all of us are concerned about not just here but in other LPD airports abroad?

Mr. FUJIMARA. Thank you. So the *Inspire* magazine which came out on the 15th of May is still being evaluated by the intelligence community, but it clearly articulates a focus from al-Qaeda in the Arabian Peninsula on aviation, on targeting aviation. Recent events, including Metrojet, which you have talked about, the Daallo aircraft in Somalia, Brussels, Paris—these indicate to me an—a focus for us on Africa, Middle East, and perhaps the foreign fighter issue in Europe being a major concern for aviation.

Miss RICE. Now, so that is not to say that Cuba could not become a focus in the future, correct? Is TSA working towards ensuring that the—all of the databases that are available to us here and other countries, especially LPD airports, are going to be accessible to the Cuban government when they do their assessment before—

Mr. FUJIMARA. Absolutely.

Miss RICE [continuing]. During that process?

Mr. FUJIMARA. We will not take our eye off the ball on any of the LPD airports. In fact, the big advantage—the value add that TSA puts on these LPD traffic is we know who is coming our way. Through Secure Flight we are vetting—we have master crew lists; we have crew manifests; we have passenger manifests that we partner with with our colleagues from CBP. We have a very clear idea of who is coming our way, whether they are on any kind of watch list.

So on top of the physical security that is undertaken at that last-point-of-departure airport, we are—at TSA and at CBP we are—we have the advantage, again of having a very good idea of the identity and the person—and the kind of person who is coming to our country.

Miss RICE. Has anyone on this panel been asked in their duties and responsibilities vis-à-vis opening up travel between the United States and Cuba to cut any kind of corners in terms of security or anything like that? Any of you, have you ever—have any of you been asked to cut corners to ensure that this gets done in a timely manner?

Mr. STODDER. Not at all.

Mr. FUJIMARA. No.

Miss RICE. Okay.

Thank you. I don't have anything further.

Mr. KATKO. Thank you, Miss Rice. But I must take issue with your reference to a criminal inquiry. The reason for the nature and tone of my questioning was because when we met with Mr. Mizell previously, not once did he say that any of the information was of a sensitive or SSI nature, and not once before the hearing today did anybody at Homeland Security or TSA make any mention that that information was of a sensitive nature.

Why that information is so important is because the information Mr. Mizell delineated offered serious concerns about the nature and quality of the equipment at those airports throughout Cuba. So—

Miss RICE. Well, I understand that there was some—

Mr. KATKO. Let me finish, please. Let me finish, please.

We had a very robust discussion, what I thought was a very helpful discussion, what I thought was a very fruitful discussion, and I also encountered 2 weeks at least—my staff did—at least 2 weeks of back-and-forth trying simply to get Mr. Mizell to come here today because it was resisted repeatedly for 2 weeks at least. My staff spent a good part of a full week just trying to get, without a subpoena, to get you to produce the witness we wanted you to produce.

Then when you get here today for the very first time we hear that this—the stuff that you talked about in an open setting was considered to be SSI. Well, if you did that earlier we wouldn't have had that back-and-forth, we wouldn't have had this—wouldn't have had to have the tone of the inquiry we had today. So I think—

Miss RICE. Why do you have to take that tone anyway?

Mr. KATKO. Well—

Miss RICE. Why don't you just ask him the question? We are all adults—

Mr. KATKO. We did ask the question—

Miss RICE. We are all professionals. There is no reason to adopt that—with all due respect to everyone here, and everyone can adopt whatever tone they want, but if you want to get answers, we are not prosecutors anymore. We are not. No one here. Mr. Ratcliffe is not; Mr. Katko is not; neither am I.

Mr. KATKO. Yes, but we have a solemn duty to our country to make sure that we do proper oversight of TSA.

Miss RICE. Then don't play politics.

Mr. KATKO. We are——

Miss RICE. Just ask a question——

Mr. KATKO. There is no——

Miss RICE [continuing]. And ask for an answer.

Mr. KATKO. Miss Rice——

Miss RICE. That is it.

Mr. KATKO [continuing]. There is no politics going on here. We simply are trying to get the answers to——

Miss RICE. Then don't sound like it——

Mr. KATKO [continuing]. To very——

Miss RICE [continuing]. Because it sounds to me like we are playing politics here, and there is no reason——

Mr. KATKO. I would like to reclaim my time. Thank you, Miss Rice.

The bottom line is we are trying to get to the bottom of what we consider to be very grave concerns we have about the opening of these airports before the rest of the inquiry is done.

Miss RICE. If you really were, you wouldn't be doing it in this setting.

Mr. KATKO. I have reclaimed my time, please. We were expecting fully to have Mr. Mizell tell us the things he told us because we had no idea that Mr. Mizell was going to claim that this stuff was SSI. So that was the nature of the inquiry.

So if you have—take issue with my tone, let me apologize for that. But I do have the interest of our country is the biggest thing at stake to us, and making sure that the airline is safe and that people are safe.

Now, overlaid with all this is an article in the *Washington Post* that happened—that came out recently talking about Afghanistan individuals trying to use false Cuban documents to get into Cuba and ultimately into the United States. So there is serious concerns. I am not saying that anybody here is involved in malfeasance; we are simply trying to get the facts out.

Mr. Mizell, if any of you took issue with my tone, let me apologize for that, but let me understand that the interest of this country and the interest of keeping the airlines safe and making sure that before you open up travel to a former communist country that there has been testimony this year saying that there are still very major concerns about the counterespionage activities that we make sure we dot our i's and cross our t's, and I hope you understand that.

Miss RICE. Well, if I could just interject—and I am sure as the Ranking Member you would give me that opportunity to do that—then let's not make it us versus them. No one has a corner on the market of National security. There isn't a Democrat or a Repub-

lican in this Congress who doesn't have a priority of keeping this country safe.

If you want to really get to the bottom of whether or not the proper analysis is going forward before we open up actual travel, again, and normalize—this is part of the normalization of relationships, then do it in a private setting where we can get the real information instead of putting on a show and asking questions that people can't answer. That is all I am asking for. Let's just take the politics out of this clearly politicized issue and get to the heart of the matter here.

Mr. KATKO. We were attempting to do that today, Miss Rice. Thank you very much.

The Chair now recognizes the gentleman from Georgia, Mr. Carter.

Mr. CARTER. Thank you, Mr. Chairman.

Thank all of you for being here. I will preface my remarks by apologizing for my tone.

Have any of you ever been to Cuba? You have been to Cuba? Just raise your hand.

Well I have, and I think this is the most ludicrous thing that I have ever heard of that we are going to open up commercial travel to Cuba. You know, when I visited Cuba I was really excited because we had dinner one night with an 83-year-old and 23-year-old, and I kind of knew what to expect out of the 83-year-old, but the 23-year-old I was really interested in knowing what that person would have to say.

I was appalled to learn that that person actually believed the United States of America had dropped the atomic bomb on Pearl—or, excuse me, on Japan after they had surrendered. Honest Injun, that is what she told me. Could not believe it. I was appalled to hear that.

Let me ask you, Mr. Fujimura, once the commercial service to Cuba begins, how many passengers do you anticipate having come and go to Cuba—come from Cuba to America and go to Cuba from America?

Mr. FUJIMARA. Sir, the scheduled commercial service that you are referencing, that would be a Department of Transportation economic estimate—

Mr. CARTER. Okay. Okay, I have heard that. You know, I got 3 minutes and 41 seconds left. Let me tell you again about my trip to Cuba.

They hate capitalism. They hate everything we stand for. I learned that in my trip to Cuba. I can tell you that.

They hate America. They do not hate us as Americans, but they do hate America and what we represent.

They blame us for all of their economic woes. Everything.

This was not just the 83-year-old and the 23-year-old. Everyone that I had the opportunity to speak to over there felt the same way.

I took great offense to that. Great offense. I love America. I think it is the greatest country ever in the history of the world.

I can't for the life of me understand—you know, I will tell you another story. We had the opportunity to visit with some journalists and I asked them—I had the opportunity to ask them, I said,

“You know, are they—are—is the regime still taking political prisoners?”

On a stack of Bibles I will tell you this was their answer: “Yes, they are still taking them, but they are not keeping them as long anymore.”

Well, there you go. That is progress.

What do you think is going to happen? I want to know your personal opinion—as Americans, I want to know your personal opinion: What do you think is going to happen whenever we open up travel between these 2 countries, their economy starts doing better? You think that is going to suppress the current regime over there?

Do any of you think that is going to suppress them? Do any of you think that that is only going to empower them even more than they are now? I am interested to know. Anyone? Anyone?

Mr. Stodder, please.

Mr. STODDER. I mean, I am not going to—I mean, I can’t opine on that. I mean, all I can say is that, I mean, we, as representatives of the Department of Homeland Security, are focused on the security of air transit between Cuba and the United States.

Mr. CARTER. I understand that. I wasn’t asking you as a representative of whatever you said; I was asking you as Americans.

Mr. STODDER. I am here testifying as a assistant secretary of—

Mr. CARTER. Not as an American?

Mr. STODDER [continuing]. And as an American citizen, certainly. But—

Mr. CARTER. That is what I was asking, as an American citizen.

Mr. STODDER. I mean, that is—I am testifying as a representative of the Department of Homeland Security, and the focus of the Department of Homeland Security is ensuring the security of commercial aviation and other aviation between Cuba and the United States.

Mr. CARTER. Okay. Well then let me ask you—help me out here, Mr. Stodder. Help me understand the difference between what international requirements are for checking and for going through security and what American TSA policies are and requirements are. Are they the same—one and the same?

Mr. STODDER. With regard to international aviation from last points of departure for flights to the United States, TSA enforces and inspects airports to ensure they meet international standards under the ICAO standards. So that is one piece of it, as I discussed in my opening testimony. So that is one piece, which is ensuring the security of the airports themselves.

But then also CBP and TSA both have a role with regard to vetting—

Mr. CARTER. Is that what I asked you? I thought I asked you were they one and the same?

Mr. STODDER. The standards—

Mr. CARTER. Are they the same standards?

Mr. Fujimura.

Mr. FUJIMARA. Yes, sir. I can take that one.

Mr. CARTER. Okay, good.

Mr. FUJIMARA. So the difference between what TSA standards are and what—ICAO standards set are performance-based. They

set what should happen. What TSA does is when we assess we assess how well those performance measures are being carried out, those standards and recommended practices are being carried out.

In the United States TSA's SOPs are much more proscriptive—prescriptive.

Mr. CARTER. Much more prescriptive. Just let me ask you this, just straightforward as I can be: Are you as comfortable with someone coming out of Cuba as you would be for someone coming out of America?

Mr. FUJIMARA. Sir, of course I believe that at TSA we have a gold standard—

Mr. CARTER. Is that yes or no? That is all yes or no.

Mr. FUJIMARA. Yes, sir. I am very comfortable traveling internationally from places—

Mr. CARTER. No. Someone who has gone through security in Cuba and is now coming over to America—are you as confident that they have been vetted as someone who is leaving America and going to Cuba?

Mr. FUJIMARA. Sir, they meet international standards—

Mr. CARTER. Okay. I can see where this is going.

Let me say again, y'all need to go to Cuba. I have been there and I have seen it, and I am not in favor of this at all. I can tell you, not only am I not in favor of it, I think it is the worst thing we could do. The worst thing that we could possibly do.

Mr. Chairman, I apologize for my tone, and I yield back.

Mr. KATKO. The Chair now recognizes Mr. Ratcliffe for 5 minutes of testimony.

Mr. RATCLIFFE. Thank you, Mr. Chairman.

I will do my best to leave politics out of this, but I think we all have to acknowledge—and hopefully my friend and colleague from across the aisle, who I respect greatly, Miss Rice, would agree with me—we have to acknowledge that, as he is often wont to do with a stroke of a pen, President Obama did announce a dramatic shift in U.S. policy here, this time towards Cuba.

We are all left to adjust to that, and I appreciate the witnesses being here. The Department of Homeland Security obviously will be tasked with implementing and enforcing the new trade and travel regulations as a result of the policy changes that this administration wants to invoke.

So I appreciate you all being here today to provide clarity. Regardless of tone, I think we have got a responsibility on this committee for oversight, and that oversight responsibility is to protect the American people as they travel.

So to that point, let me start with you, Mr. Fujimura. I want to make sure I understand all the facts straight here. So the U.S. embargo on Cuba prohibits TSA from lending airport screening technologies to Cuba, correct?

Mr. FUJIMARA. So that is my understanding of the restrictions, that we are not allowed to provide training or equipment to Cuba.

Mr. RATCLIFFE. Right. Okay.

Likewise, the U.S. embargo prohibits the Cuban government from buying these types of high-quality checkpoint screening equipment from the United States.

Mr. FUJIMARA. Sir, that is my understanding, as well.

[Additional information follows:]

SUPPLEMENTAL INFORMATION SUBMITTED BY DHS

As part of a series of amendments to Cuba sanctions regulations, the Department of Commerce's Bureau of Industry and Security (BIS) amended its Export Administration Regulations to create a general policy of approval for export license applications involving items to ensure the safety of civil aviation and the safe operation of commercial aircraft engaged in international air transportation. This means that the Government of Cuba could purchase related equipment from U.S. companies, if the exporter applies for and obtains authorization from BIS. Given statutory limitations on the provision of assistance to Cuba, the U.S. Government does not currently provide such equipment to Cuba.

Mr. RATCLIFFE. Okay. I know from Mr. Mizell's testimony there is some question about whether Cuba has or, in fact, lacks the equipment that the United States would deem necessary to conduct some aspects—important aspects—of screening, like explosive trace detection equipment and properly-trained bomb-sniffing dogs. I think it has been further evidenced that the Cuban government apparently only has 2 full-body scanners, located in Havana. Is that correct?

Mr. FUJIMARA. We can't discuss in this open setting the specifics of what equipment or what capabilities are in Cuba right now.

Mr. RATCLIFFE. Okay.

Mr. FUJIMARA. But I think focusing on technology is focusing on one element of a security system that involves people, processes, and technology.

Mr. RATCLIFFE. Well, that is why I am including all of these different questions that we have about what we know that they are not able to obtain, what we know that they—we—they can't purchase from America, what we are not able to provide to them. So if the Obama administration is looking to authorize—and I understood it to be 10 LPDs, or last points of departure, airports in Cuba; there is some discussion about whether it may be 7 or 6. But if they are lacking this equipment to the tune that we believe that they may, what—how does TSA plan to certify that Cuba has the necessary equipment and personnel to detect potential threats to the United States?

Mr. FUJIMARA. Sir, we send down teams of TSA inspectors on an annual basis to Cuba to look at these airports that are currently operating as last-point-of-departure airports. They look at people, process, and technology against the international standards set out by ICAO. They are professionals. They have 3 years—

Mr. RATCLIFFE. So let me stop you, because I heard you say that before and that they meet international standards and you send them down annually—"annually" meaning once a year, right? Right?

Mr. FUJIMARA. Yes, sir, but—

Mr. RATCLIFFE. Okay. So is TSA going to certify the standards that the Cuban government is employing with respect to airport safety? You send inspectors down. Are they going to provide some sort of certification?

Mr. FUJIMARA. Sir, it is not a certification per se, but it is an assessment that they meet international standards and that service can proceed.

Mr. RATCLIFFE. Okay.

Let me shift to you, Mr. Wagner. According to the State Department, Cubans continue to favor land-based entry at U.S. points of entry, particularly through Mexico. What is the current policy for Cubans that enter the United States without proper documentation at points of entry?

Mr. WAGNER. Well, as per the Cuban Adjustment Act, we would parole them into the United States and if there is any, say, National security derogatory-type information or if there is any type of risk we have the option of having them detained until a hearing before a judge.

Mr. RATCLIFFE. Okay. So what will the policy of the United States be if a Cuban immigrant arrives at an airport without proper documentation?

Mr. WAGNER. It is the same policy.

Mr. RATCLIFFE. Okay. So do you have any—I am from a border State; I am from Texas. Do you have an opinion as to what you expect to see in terms of the number of asylum declarations at points of entry based on this shift in policy?

Mr. WAGNER. We are seeing the numbers increase from last year to this year.

Mr. RATCLIFFE. Okay.

I see my time is expired. I yield back.

Mr. KATKO. Thank you, Mr. Ratcliffe.

The Chair now recognizes Mr. Perry for 5 minutes of questioning.

Mr. PERRY. Thank you, Mr. Chairman, for indulging me and for providing this privilege for me to sit on the panel here.

Mr. Mizell, in an April 12 letter I sent to the Secretary regarding Cuba and aviation security I asked about the goals of annual visits by Cuban officials to the United States and to our airports, which have been occurring since 2010. In its response to my letter DHS stated the visits involved the exchange of technical information on aviation security and best practices.

“Exchange of technical information.” My concern and curiosity in speaking with you is about what we are giving to them; not what we are getting from them particularly, but what we are giving to them. Given Cuba’s history as a counterintelligence state, that is—this is extremely concerning to me.

As you know, Cuba is ruled by a government hostile to the United States with close relationships to other U.S. adversaries, including China, Russia, and North Korea. Indeed, Russia and China both have listening posts, some of the largest in the world if not the largest on the planet, at Lourdes and Bejucal. I think personally it is outrageous to think that DHS is sharing our information with Cuba when they know they will very likely share it, if not just plain give it to our adversaries.

So my questions are these: What exactly, precisely, specifically constitutes technical information that we shared with the Cubans? Was any information shared regarding security operations or security equipment? Was any of this information Classified, Confidential, Sensitive but Unclassified, Law Enforcement Sensitive, For Official Use Only, or Sensitive Security Information? What assurance do we have as Americans that this information won’t or hasn’t already been leaked to our adversaries?

Mr. MIZELL. Let me start by saying the reciprocal visits with the Cuban government representatives began in 2011. We do it annually. Part of the reason we do that is because we have free access into Cuba to conduct required airport assessments and air carrier inspections.

Without those reciprocal visits, I am not sure we would have this access. So it is important to have those visits.

As far as the visits go, we take them to different U.S. airports, normally in the South or East. We give them an opportunity to observe our checkpoints and how we operate them, the throughput that occurs.

We don't share any SSI information with them. It is a sharing of best practices, basically.

Mr. PERRY. So let me ask you this: Would you—if I were to ask you, since we are sharing, right? Sharing is a two-way street, right? I give you something; you give me something. That is sharing or exchanging, which the terminology “exchange” is used here as opposed to “share.”

Would you be able to tell me what we, as the United States, have gotten from those visits that we wouldn't have known already—that we wouldn't know already? If you know, sir, please let me know.

Mr. FUJIMARA. Sir, one of the key elements of flights coming to the United States involve Secure Flight information. This is the data transmission of passenger manifests that come from all flights, including crew, coming from Cuba. So we get that information from Cuba for the public charters that are coming to us.

So this is information that we are getting that is fed into Customs and Border Protection and is acted upon—

Mr. PERRY. I understand that, but, see, I feel like we have got this reciprocal agreement where we should get something and, of course, they want something, right? So we should be able to be getting something that we can't otherwise get. In other words, what is in it for the United States? Because we are going to give up some of our information.

Best practices, like for me, quite honestly, as a layman who has just used this system and I have never worked in the system, but what best practices is Cuba using that we need to get to use in the United States?

Mr. FUJIMARA. Cuba is a member of ICAO, the 191 members.

Mr. PERRY. Right.

Mr. FUJIMARA. As a member of the international aviation community, we have a shared goal in security of our passengers around the world reaching their destination safely. That is a shared goal we have with the Cubans and the 189 other members.

Mr. PERRY. I understand the shared goal. It says “best practices,” and it says that we talked about technical information on security and—on aviation security and best practices.

I want to know some examples. I want to know, what we are getting that we wouldn't get otherwise? We are giving them access to our airports—New York, JFK, and Miami, Fort Lauderdale, and Tampa, Atlanta. It is all listed here and when the dates they came to America.

They are interested in collecting information. I am not dumb and neither are they. They know we are interested in collecting information, right? We get this.

But we are America. We are the free country. They are the communist country. I want to make sure that we are not giving them something, and then certainly when we are not getting anything in return.

Quite honestly, you haven't—neither of you have allayed my fears and my concerns that that has happened.

Quite honestly, sir, Mr. Mizell, I asked about Classified, Confidential, Sensitive But Unclassified, Law Enforcement Sensitive, For Official Use Only, or Sensitive Security Information. Does this need another setting to discuss that? Because you didn't enumerate any of those. You didn't just say, "No, none of those are included," which would be an answer that would be great to hear but I am concerned it is not.

Mr. MIZELL. None of those have been included on their visits to the United States.

Mr. PERRY. None of those were included on their visits to the United States.

Mr. MIZELL. Yes, sir.

Mr. PERRY. They have none of that information.

Mr. MIZELL. Correct.

Mr. PERRY. All right.

Thank you, Mr. Chairman. I yield.

Mr. KATKO. Thank you, Mr. Perry.

A couple quick follow-up questions for—Mr. Fujimura, you mentioned the ICAO standards as something that gives you some sort of comfort, I guess, in the airport quality of their security. Is that correct?

Mr. FUJIMARA. Sir, under 44907 it is based in statute that this is the basis. The ICAO—are what we begin our airport assessment program from. So it is encapsulated in statute.

Mr. KATKO. Correct. I understand that. So just so I understand, do you know if Sharm el-Sheikh or Mogadishu were airports that met the ICAO's minimum standards?

Mr. FUJIMARA. They are not last-point-of-departure airports, sir, so I do not know definitively whether they met them or not, sir.

Mr. KATKO. Okay.

Now, Mr. Mizell, a couple quick questions. I understand you are saying what you told us in a secure setting was sensitive, and of course, I take issue with that. Let me ask you something a different way and see if you can't get to the inquiry here.

How many of those last-point-of-departure airports have you visited?

Mr. MIZELL. There are 7 last-point-of-departure airports, 6 of which are operational. I visited all of them.

Mr. KATKO. Okay. The seventh one that is not operational, did you visit that, as well?

Mr. MIZELL. Yes.

Mr. KATKO. Okay. I want to ask you about what you personally observe when you are going through these airports, if I may.

The first thing is, in any of those 7 airports did you observe any explosive trace detection equipment anywhere?

Mr. MIZELL. Again, you have asked this question previously, sir, about equipment that is available. It is not something we want to discuss in this setting.

Mr. KATKO. I understand. I am asking based on your personal observations, not what is considered Security Sensitive. So the question is, what—based on your personal observations, did you observe any explosive trace detection equipment at any of these airports?

Mr. MIZELL. Again, sir, I am not going to discuss that in an open meeting like this.

Mr. KATKO. Are you saying your personal observations are sensitive and secure, SSI?

Mr. MIZELL. I am saying that the question you are asking about that is sensitive with regard to equipment.

Mr. KATKO. From a Classified setting or something? I just want to understand what security setting you are saying—secure—security clearance you need to have before I can discuss this. I am not asking about what you told us in a secure setting; I am asking based on your personal observations.

Mr. FUJIMARA. Sir, if I may?

Mr. KATKO. Yes, sir.

Mr. FUJIMARA. So on those travels Mr. Mizell would have been traveling on an official passport in his official capacities as a TSA representative whose portfolio includes Cuba. So his observations would be part of a Government effort there, as it were. So again, I would again ask that we could take this to—if we could take this to a different setting and to articulate the—more details for you.

Mr. KATKO. Just so I understand, so you are not going to answer the question in this setting. Is that correct?

Mr. MIZELL. Is that to me, sir?

Mr. KATKO. Yes.

Mr. MIZELL. Yes, sir.

Mr. KATKO. Okay. Now, would that be the same question with respect to body scanners, whether or not there are body scanners in any of these 7 airports you visited? Would you give me the same answer that you are not going to answer it in this setting?

Mr. MIZELL. That is correct, sir.

Mr. KATKO. Okay. Would that be the same answer that you would give with respect to the 7 airports that you visited whether there is any document verification equipment at any of these airports?

Mr. MIZELL. That is correct, sir.

Mr. KATKO. Okay. Just so I am clear—and I am not meaning to quarrel, but just want to understand—what security level are you saying applies here?

Mr. Fujimura, you can answer that, or Mr. Mizell can.

Mr. FUJIMARA. Sir, the presence of security equipment and procedures is SSI.

Mr. KATKO. Okay. So you are saying this is all SSI.

Mr. FUJIMARA. I would want to go back and review with my subject-matter experts on security back at headquarters, but that is my understanding. But I stand open to be corrected by true experts in—

Mr. KATKO. Okay. Let's handle it this way then, since we are not going to get to the bottom of this today. Why don't we do this: Why don't you, if you could, sir, within 10 days, consult with them and then give us an answer of whether or not you believe each of those questions are—warrant SSI label on them. Then if they do not, then I ask that you respond to those questions in writing. Will that be fair enough, sir?

You nod your head, so that means yes?

All right. Thank you very much.

Mr. FUJIMARA. Sorry we have to.

Mr. KATKO. No, it is quite all right. I understand.

All right. Miss Rice, do you have any further questions?

Miss RICE. No.

Mr. KATKO. Okay.

Mr. Perry, do you have any further questions?

Mr. PERRY. I do, if—just to finish up, if you will allow, sir, Mr. Chairman.

Mr. KATKO. Yes, sir.

Mr. PERRY. Mr. Mizell, my first question was what exactly constitutes "technical information" that was shared with the Cubans? Was any information shared regarding security operations or security equipment—"technical information"?

Mr. MIZELL. Nothing was shared with respect to technical equipment.

Mr. PERRY. In the memorandum of understanding under J it says: To coordinate in the area of transportation security the screening of cargo, travelers, and baggage, and the design of secure, efficient inspection facilities at ports and airports.

Anything regarding design other than the layout? When you say "design" I just want to make sure what we are contemplating.

Mr. MIZELL. No, sir. The design is what you would see walking through the airport at the security checkpoint.

Mr. PERRY. I yield.

Mr. KATKO. Thank you, Mr. Perry.

Miss Rice, you have no further questions?

Okay. Thank you.

I would like to thank you for your testimony today. Members of the committee may have some additional questions for the witnesses, and I would ask you to respond to these in writing.

Pursuant to committee Rule VII(e), the hearing record will be held open for 10 days.

But, Mr. Fujimura, I would ask that you get to me on those specific questions. We will delineate them in writing so you have them. You can tell us which ones you believe are of an SSI nature.

Without objection, the subcommittee stands adjourned. Thank you.

[Whereupon, at 4:00 p.m., the subcommittee was adjourned.]

A P P E N D I X

QUESTIONS FROM CHAIRMAN JOHN KATKO FOR SETH STODDER

Question 1. Why did the Department designate 3 witnesses that had never before traveled to Cuba on official business to testify before the committee, and then only send Mr. Mizell, who has traveled to Cuba over 30 times in the past 5 years, once the committee expressed its intention to issue a subpoena?

Answer. Response was not received at the time of publication.

Question 2. In addition, the committee requests the travel records of any official travel to Cuba made by Deputy Secretary Mayorkas and all other DHS and TSA employees.

Answer. Response was not received at the time of publication.

QUESTION FROM CHAIRMAN JOHN KATKO FOR LARRY MIZELL

Question. Why were committee Members and staff not informed that information regarding airport equipment and operations in Cuba had been deemed SSI in the 2 briefings on March 7 and March 17, 2016? Were you aware that this information was SSI at the time of the respective briefings?

Answer. Response was not received at the time of publication.

QUESTIONS FROM CHAIRMAN JOHN KATKO FOR PAUL FUJIMURA

Question 1. In its annual budget request to Congress, the Department makes available the quantity, model, and use of any airport screening or security equipment it intends to procure. It makes this information available again in TSA's Strategic Five-Year Technology Investment Plan for Aviation Security. How is it that information on our own security capabilities is not deemed SSI, but information on a foreign airport, which can be obtained through basic observation is deemed SSI?

Question 2. Who was involved in the directives to the witnesses to claim in their testimony to the committee that responses to Members questions is SSI but that the same information previously discussed in 2 separate briefings was not deemed to contain SSI?

Answer. TSA's Strategic Five-Year Technology Investment Plan for Aviation Security contains the total number of equipment and airports where particular technologies are deployed. The report does not disclose details on performance specifications, detection capability, vulnerabilities, specific location, or procedures, as those are Sensitive Security Information (SSI) categories, or National security Classified information. SSI is information that, if publicly released, would be detrimental to transportation security, as defined by Federal regulation 49 C.F.R. Part 1520. Information on security vulnerabilities observed during TSA airport assessments and/or air carrier assessments, including those on Cuba's capabilities, is SSI. TSA values its strong relationships with our foreign partners. Releasing another country's information regarding their aviation security capabilities would be detrimental to the bilateral relationship, and would give would-be adversaries sensitive security information.

The disclosure and handling of SSI are governed by U.S. regulation 49 C.F.R. Part 1520. All TSA employees and contractors are considered covered persons under the SSI regulation, and have an obligation to protect the information from unauthorized disclosure. TSA is authorized to share SSI information with Members of Congress and their staff in meetings closed to the public. TSA witnesses in this testimony fulfilled their obligation to not share SSI in a public forum.

Question 3. You testified that TSA inspectors have a detailed list of security protocols that they look for when making the determination as to whether a foreign airport meets International Civil Aviation Organization (ICAO) protocols. Can TSA provide a copy of this list to the committee?

Answer. The job aid that the inspectors use has been provided under separate cover in response to your letter to the Secretary on May 18, 2016.

Question 4. How many explosive trace detection systems do Cuba's 10 international airports possess? Where are they located? By who are they manufactured and what is the model?

Question 5. Based on the most recent data available for each LPD, are there any airports currently designated as LPDs that do not have explosive trace detection technology? If so, please list them.

Answer. This response is SSI and has been provided under separate cover in response to your letter to the Secretary on May 18, 2016.

Question 6. How many full body scanners do Cuba's 10 international airports possess? Where are they located? By who are they manufactured and what is the model?

Answer. This response is Sensitive Security Information and has been provided under separate cover in response to your letter to the Secretary on May 18, 2016.

Question 7. How many canines trained in explosive detection do Cuba's 10 international airports possess? What type of training do they receive? Where are they located?

Answer. This response is Sensitive Security Information and has been provided under separate cover in response to your letter to the Secretary on May 18, 2016.

Question 8. What is the content and duration of the training that Cuban aviation security workers receive?

Answer. This response is Sensitive Security Information and has been provided under separate cover in response to your letter to the Secretary on May 18, 2016.

Question 9. Through what systems and against what lists are Cuban aviation workers vetted?

Answer. This response is Sensitive Security Information and has been provided under separate cover in response to your letter to the Secretary on May 18, 2016.

Question 10. According to the accord signed between the administration and the Cuban government, regularly-scheduled commercial air service routes will be opened between the United States and all 10 of Cuba's international airports. Presently, only 7 of Cuba's international airports have been designated as LPDs. What is the time line on the inspections for the remaining 3?

Answer. The Transportation Security Administration (TSA) is currently working with the Cuban government to arrange dates for assessing the 3 possible additional Last Point of Departures (LPD) in Cuba: Varadero (VRA), Cayo Largo (CYO), and Cayo Coco (CCC). The Cubans are aware that the assessments must take place prior to TSA approval of an LPD location.

Question 11. When conducting inspections at LPDs around the world, what information do inspectors gather? Can TSA provide the committee with a list of everything they inspect for and what reasons would prompt TSA to require air carriers to implement extra layers of security at such an airport, or revoke LPD designation entirely?

Answer. The job aid that the inspectors use has been provided under separate cover in response to your letter to the Secretary on May 18, 2016. Vulnerabilities identified by the TSA teams via the job aid could lead to mitigation measures such as Security Directives for domestic carriers or Emergency Amendments for foreign carriers. Further, TSA has an established process for ensuring the mitigation of vulnerabilities at an airport, up to and including cessation of service. Currently, each of the 7 Last Point of Departures (LPDs) in Cuba meet all International Civil Aviation Organization (ICAO) security standards. For the last 6 years no Cuban LPD airport has been subjected to mitigation measures that required Security Directives or Emergency Amendments.

Question 12. Why were committee Members and staff not informed that information regarding airport equipment and operations in Cuba had been deemed SSI in the 2 briefings on March 7 and March 17, 2016? Were you aware that this information was SSI at the time of the respective briefings?

Answer. As the Transportation Security Administration's (TSA) witnesses stated in the hearing, the specific vulnerabilities and capabilities at Cuban airports constitute Sensitive Security Information (SSI). TSA shared this information in 2 previous closed-door briefings with committee staff and with Members of Congress, as Members and their staff are covered persons entitled to receive SSI.

An SSI advisement before a briefing or discussion in a closed setting is typically made for newly-covered persons unfamiliar with SSI. However, TSA routinely provides SSI verbally and in writing to the committee. Additionally, TSA routinely clarifies whether information may be made public, and portion marks information that is SSI at the committee's request.

QUESTIONS FROM CHAIRMAN JOHN KATKO FOR JOHN WAGNER

Question 1. Can you please explain the nature of the negotiations that CBP has had with the Cuban government to date?

Answer. A U.S. Customs and Border Protection (CBP) representative, as part of a Department of Homeland Security (DHS) delegation, traveled to Cuba in March 2016 to negotiate a Memorandum of Understanding (MOU) between DHS and the Ministry of the Interior and the Customs Office of the Republic of Cuba. It is the intent of the signatory agencies and their components to use this non-binding MOU to cooperate on the protection of travel and trade flows across air and maritime borders, as well as in citizen and transport security. The MOU was signed on May 5, 2016.

Question 2. A Memorandum of Understanding was signed May 5 by the Department that would establish a framework for cooperation and exchange of information, including information in advance of the risk represented by particular travelers, cargo, or conveyances in international transit. While every Cuban will have already visited a U.S. embassy for a visa and consular interview, what information do you believe will be gained by this information exchange?

Answer. The administration's approach to U.S.-Cuban relations has produced several changes that have had the overall effect of reactivating authorized trade and travel flows across a border that was effectively dormant. One example is the non-binding U.S.-Cuba Memorandum of Understanding regarding scheduled and charter international air transportation between the 2 countries. Additionally, regulatory changes made by the Departments of the Treasury and Commerce to the sanctions regulations regarding Cuba have led to an increase in authorized travel to Cuba via private vessels and aircraft. We expect maritime travel to increase as the United States and Cuba authorize entities to carry passengers between the 2 countries by ship.

In keeping with its statutory mandate to secure and manage our borders, and in support of foreign policy objectives set by the President and the Department of State, the U.S. Department of Homeland Security (DHS) has engaged with Cuban government agencies responsible for customs, immigration, and port security to reduce the risk of authorized trade and travel flows being exploited by terrorists, illicit migrants, or organized criminals. The non-binding Memorandum of Understanding between the U.S. Department of Homeland Security and the Cuban Ministry of Interior & Cuban Customs Office, signed on May 5, 2016, is a significant first step in establishing a productive working relationship that will improve both countries' ability to manage our shared border. DHS seeks to work with foreign partner governments, especially those in close geographic proximity to the United States, to address threats and vulnerabilities as early and as far from the U.S. border as possible, sharing information to detect and interdict dangerous people and goods.

DHS and its Cuban counterpart organizations intend to share relevant information that contributes to each country's ability to analyze the risk posed by people, things, and conveyances crossing our respective borders. As described in the DHS 2014 Quadrennial Homeland Security Review, DHS works to sort traveler and cargo traffic based on risk, expediting the movement of those found to be low-risk (including members of trusted traveler programs) so that limited resources can be focused on those deemed to be high-risk.

DHS and its Cuban counterpart organizations are working to establish operational procedures for quickly requesting and sharing appropriate information on people, cargo, and conveyances deemed to be high-risk, especially those suspected of criminal activity. Some of the most valuable advance information that may be shared between DHS and its Cuban counterparts may pertain to citizens and nationals of third countries rather than citizens of our own. For example, DHS and Cuban agencies have worked together to validate Cuban identity documents used by third country nationals in fraudulent attempts to gain access to U.S. immigration benefits. When citizens of our own countries apply for visas or travel authorization to enter the other country, a strong working relationship would contribute to our ability to uncover fraud or criminal history not revealed by the applicant. The United States and Cuba have also notified each other on several occasions when individuals suspected of criminal activity in one country attempt to travel to the other, contributing to a more informed immigration decision. Advance information about cargo and conveyances applying for entry into each other's countries is useful as well in detecting suspicious or high-risk activity that may be related to drug trafficking, money laundering, or other malfeasance. The United States routinely shares this type of information with the governments of countries across the Western Hemisphere, particularly with those that share a land or maritime border with our country. The Memorandum of Understanding between DHS and the Cuban Ministry

of Interior and Cuban Customs Office will help ensure that authorized trade and travel flows between our countries are secure, regardless of the economic, social, or political changes that may occur in the years to come.

Question 3a. When a preclearance agreement was established in Abu Dhabi, UAE, CBP billed it as a way to leverage information sharing and law enforcement exchanges they would otherwise not have access to. Preclearance has been previously considered to be the gold standard of pushing the border outward by CBP.

Has there been any consideration given to opening CBP preclearance in Cuba?

If no, why not?

If yes, what is the status of those discussions?

Answer. To date, CBP has not received any inquiries from Cuban stakeholders, nor have we participated in any discussions regarding possible preclearance expansion to Cuba. During the fiscal year 2016 open period, from May 15 to August 1, 2016, interested foreign airport stakeholders, including those within Cuba, had the opportunity to submit letters outlining their interest in preclearance expansion. No Cuban airport submitted a letter of interest. CBP will now administer a process to evaluate and prioritize potential preclearance locations.

Question 3b. What about consideration of programs like the Immigration Advisory Program or Joint Security Program, which has established CBP partnerships in many Latin American countries?

Answer. The Joint Security Program (JSP) is a component of CBP's Immigration Advisory Program (IAP). JSP officers work jointly with host country law enforcement officials to disrupt terrorist travel and interdict the smuggling of narcotics, bulk currency, illegal migrants, and fugitives. The JSP in Mexico and Panama is successful because of the willingness of these countries to partner with CBP to jointly engage potentially high-risk travelers. In order to assess the viability of a potential JSP expansion to Havana, CBP would first need to assess the willingness of the Cuban government to grant access for CBP to engage travelers in the sterile airside environment and address Cuban sovereignty concerns regarding the direct engagement of Cuban citizens.

Question 3c. Which program would help CBP the most in conducting its screening and travel facilitation mission?

Answer. CBP makes use of its various authorities and programs to serve its screening and facilitation missions. If vetting uncovers derogatory information or other risks pertaining to a traveler intending to fly to the United States, current programs exist to support targeting efforts and address these issues overseas. In order of increasing capability, these are: The Regional Carrier Liaison Groups (RCLG); the Immigration Advisory Program (IAP) and the Joint Security Program (JSP); and preclearance. Initiating preclearance operations and IAP/JSP are predicated, among other things, on successful negotiations between DHS and the host country.

The RCLGs constitute CBP's first-level capability to address and intercept risks before they reach the United States. CBP Officers supporting the RCLGs are not located overseas; however, the RCLGs utilize established relationships with commercial airlines to recommend that passengers who may pose a security threat, have fraudulent documents, or are otherwise inadmissible, do not board flights to the United States.

Both IAP and JSP officers work in plainclothes and are posted overseas to coordinate closely with the border security agencies of the host country and commercial airlines in order to recommend the denial of boarding to high-risk subjects. IAP teams work collaboratively to identify high-risk and terrorist watch-listed travelers with targeting support from the National Targeting Center (NTC), and/or conduct an assessment of passengers and their documentation. JSP is a component of IAP. JSP officers work jointly with host country law enforcement officials to disrupt terrorist travel and interdict the smuggling of narcotics, bulk currency, illegal migrants, and fugitives.

Question 4. What is the current policy for Cubans that enter the United States without proper documentation?

What will the policy of the United States be if a Cuban immigrant arrives at a United States airport without proper documentation or with falsified documentation?

Answer. A commercial air carrier that allows any alien boarding from a foreign country without appropriate travel documents for entry into the United States is subject to a \$4,300 fine under the Immigration and Nationality Act.

Further, under long-standing policies implementing the Cuban Refugee Adjustment Act of 1966 (Cuban Adjustment Act), Pub. L. No. 89-732, as amended, natives and citizens of Cuba who arrive in the United States without proper documentation may be paroled into the United States to allow them to apply under the Cuban Ad-

justment Act for adjustment of status to that of a lawful permanent resident (LPR) after 1 year of physical presence. Applicants for adjustment of status under the Cuban Adjustment Act must demonstrate that they are admissible to the United States.

As stated above, any carrier that brings a Cuban without proper documentation is subject to \$4,300 fine. Additionally, under long-standing policy a Cuban citizen or national who arrives at a U.S. port of entry without proper documentation may be considered for parole into the United States to allow the individual to seek LPR status under the Cuban Adjustment Act. A Cuban citizen or national who can demonstrate that he or she has been admitted or paroled into the United States and has been physically present in the United States for 1 year or more is eligible to apply with USCIS (or, if in removal proceedings, with the immigration judge) for LPR status under the Cuban Adjustment Act. Applicants for adjustment of status under the Cuban Adjustment Act must demonstrate that they are admissible to the United States.

Question 5. In 2015 more than 31,000 Cubans entered the United States at a port of entry on the border with Mexico, compared to just over 3,400 who migrated via the maritime routes of the Florida straits. With the ability for Cubans to increasingly obtain exit visas, to travel to the United States or another country, do you expect the number of asylum declarations at ports of entry to continue to increase?

Answer. Yes. Absent measures to reduce the incentives for Cuban migration, the increased flow of Cubans and subsequent requests for asylum or other immigration relief will likely continue. This increase in migration to the United States is likely driven by the current commonly-held belief that the window of opportunity to take advantage of the Cuban Adjustment Act is closing. Eased restrictions by Cuba on its citizens' ability to leave the country, permissive visa and migratory policies in transit countries, and disillusion with Cuban government policies are additional factors contributing to the increase in migration. Many Cuban migrants are now able to afford air travel, due to remittances from the United States and the recent permission to sell personal property held in Cuba. The most common pattern of Cuban migration to the United States is via air travel to Mexico or South America and onward to the U.S. Southern Border via land routes. The ability of Cubans to legally present themselves at a U.S. port of entry along the land border makes Cuban migrants prefer the new and safer routes of migration to the United States via South and Central America over riskier maritime routes to Florida.

Question 6. Why did the Department designate 3 witnesses that had never before traveled to Cuba on official business to testify before the committee, and then only send Mr. Mizell, who has traveled to Cuba over 30 times in the past 5 years, once the committee expressed its intention to issue a subpoena?

Answer. As indicated in previous correspondence from the Department of Homeland Security (DHS) regarding the hearing, DHS provided witnesses to the committee who were able to speak to the wide range of security activities and issues regarding Cuba. DHS's witness from the Office of Policy, U.S. Customs and Border Protection (CBP), and Transportation Security Administration (TSA) were all senior executives able to address policy-level and operational aspects of these issues.

Though some of these witnesses had never traveled to Cuba on official business, the breadth of their security responsibilities within DHS extends to many nations and activities world-wide, including Cuba. Given the wide scope of the hearing as articulated by committee staff, it was necessary to provide senior witnesses that could speak not only to security activities and policies relating to Cuba, but also to the application of those same activities and policies globally.

The Department chose TSA assistant administrator for the Office of Global Strategies, Mr. Paul Fujimura, because he is the senior TSA executive responsible for developing and promoting the implementation of effective transportation security world-wide, while ensuring compliance with international and TSA standards. He oversees TSA representatives (TSARs) who work in conjunction with host governments and regional organizations, as well as Transportation Security specialists (TSSs) or inspectors, who conduct assessments of airports and inspections of carriers to ensure compliance with international standards. TSARs and TSSs work in separate divisions within the Office of Global Strategies under Mr. Fujimura's leadership. As the senior executive responsible for all of these functions, Mr. Fujimura was the most appropriate witness to address TSA's role regarding transportation security questions related to Cuba.

As DHS's assistant secretary for border, immigration, and trade policy, Mr. Seth Stodder plays a crucial role in coordinating the security efforts of Departmental components, like CBP and TSA, for Cuba and countries world-wide. This has included the DHS Office of Policy's lead role in negotiations that developed a law en-

forcement cooperation Memorandum of Understanding between DHS and the Ministry of the Interior and the Customs Office of the Republic of Cuba.

CBP's witness, Deputy Assistant Commissioner John Wagner, Office of Field Operations, was specifically requested by the committee for this hearing. Though Mr. Wagner had never visited Cuba on official business, his broad responsibilities uniquely suit him to speak to key elements related to the hearing, including fraudulent document detection at U.S. ports of entry, foreign fighter travel prevention, impostor detection at U.S. ports of entry and 1:1 facial recognition pilots, pre-departure vetting and CBP's role in visa-vetting, and CBP's Preclearance and Immigration Advisory Programs.

Question 7. In addition, the committee requests the travel records of any official travel to Cuba made by Deputy Secretary Mayorkas and all other DHS and TSA employees.

Answer. The table below lists trips to Cuba by DHS employees in the last year, from June 2015 to June 2016. Please note specific information related to the number and type of employees traveling with the President to support the Secret Service protective mission is Law Enforcement Sensitive and not included in this response. Also, in keeping with typical Executive Branch practice, the names of employees GS-14 and below, or the equivalent in other pay systems, are not included, with the exception of Mr. Mizell.

Component	Last Name	First Name	Arrival Date	Departure Date
CBP	NUNEZ-NETO	BLAS	10/27/15	10/30/15
CBP	NUNEZ-NETO	BLAS	03/09/16	03/11/16
CBP	NUNEZ-NETO	BLAS	05/16/16	05/18/16
CBP	GS-12 Employee ..	.....	11/30/15	12/04/15
CBP	GS-13 Employee ..	.....	03/19/16	03/22/16
CBP	GS-12 Employee ..	.....	01/24/16	01/29/16
CBP	GS-12 Employee ..	.....	04/11/16	04/16/16
CBP	DI NUCCI	RICHARD	11/30/15	12/04/15
CBP	KERLIKOWSKA	R. GIL	10/27/15	10/30/15
CBP	GS-12 Employee ..	.....	01/24/16	01/29/16
CBP	GS-14 Employee ..	.....	03/19/16	03/22/16
DHS-HQ	BERSIN	ALAN DOUGLAS	05/15/16	05/17/16
DHS-HQ	GS-05 Employee ..	.....	10/26/15	10/30/15
DHS-HQ	KING	MATTHEW HARRISON.	03/09/16	03/11/16
DHS-HQ	GS-14 Employee ..	.....	10/26/15	10/30/15
DHS-HQ	GS-14 Employee ..	.....	10/25/15	10/30/15
DHS-HQ	MAYORKAS	ALEJANDRO	10/25/15	10/30/15
DHS-HQ	MAYORKAS	ALEJANDRO	05/15/16	05/17/16
DHS-HQ	SHAHOUKIAN	DAVID	05/15/16	05/17/16
DHS-HQ	TANUVASA	SAMITA	05/15/16	05/17/16
DHS-HQ	Lt. Commander ....	.....	10/26/15	10/30/15
DHS-HQ	Lt. Commander ....	.....	05/15/16	05/17/16
DHS-HQ	PERALES HER- NANDEZ.	JOSE R	10/29/15	11/04/15
DHS-HQ	SILVERS	ROBERT PETER	10/26/15	10/30/15
DHS-HQ	GS-11 Employee ..	.....	03/09/16	03/11/16
DHS-HQ	GS-14 Employee ..	.....	05/15/16	05/17/16
DHS-HQ	Lt. Commander ....	.....	05/15/16	05/17/16
FEMA	GS-13 Employee ..	.....	01/05/16	01/15/16
ICE	GS-12 Employee ..	.....	06/16/15	06/19/15
ICE	GS-12 Employee ..	.....	07/14/15	07/17/15
ICE	GS-13 Employee ..	.....	09/17/15	09/17/15
ICE	GS-12 Employee ..	.....	10/14/15	10/23/15
ICE	GS-13 Employee ..	.....	01/24/16	02/02/16
ICE	GS-13 Employee ..	.....	01/24/16	02/03/16
ICE	HOLT	JAMIE	02/20/16	02/26/16
ICE	SV-04 Employee ..	.....	02/20/16	02/24/16
ICE	GS-14 Employee ..	.....	02/29/16	03/09/16
ICE	GS-11 Employee ..	.....	03/01/16	03/04/16
ICE	GS-12 Employee ..	.....	03/01/16	03/04/16
ICE	GS-14 Employee ..	.....	03/03/16	03/03/16
ICE	MOORE	MARC	03/03/16	03/03/16
ICE	GS-13 Employee ..	.....	04/11/16	04/16/16

Component	Last Name	First Name	Arrival Date	Departure Date
ICE	GS-13 Employee ..	.....	04/11/16	04/16/16
ICE	GS-13 Employee ..	.....	04/11/16	04/16/16
ICE	GS-11 Employee ..	.....	04/26/16	04/29/16
ICE	GS-09 Employee ..	.....	04/26/16	04/29/16
ICE	GS-12 Employee ..	.....	04/26/16	04/29/16
ICE	GS-14 Employee ..	.....	05/09/16	05/14/16
TSA	MIZELL	LARRY	7/28/15	7/30/15
TSA	MIZELL	LARRY	9/27/15	9/30/15
TSA	MISHULOVICH ..	ELLIS	10/26/15	10/30/15
TSA	MULLER	CHRIS	10/26/15	10/30/15
TSA	MIZELL	LARRY	11/06/15	11/17/15
TSA	J Band Employee	.....	11/09/15	11/17/15
TSA	I Band Employee	.....	11/09/15	11/17/15
TSA	I Band Employee	.....	11/09/15	11/17/15
TSA	MIZELL	LARRY	11/06/15	11/14/15
TSA	MIZELL	LARRY	12/03/15	12/05/15
TSA	MIZELL	LARRY	02/07/16	02/12/16
TSA	J Band Employee	.....	02/07/16	02/12/16
TSA	I Band Employee	.....	02/07/16	02/12/16
TSA	I Band Employee	.....	02/07/16	02/12/16
TSA	MIZELL	LARRY	05/04/16	05/06/16
TSA	J Band Employee	.....	05/04/16	05/06/16
TSA	MIZELL	LARRY	06/21/16	06/30/16
TSA	J Band Employee	.....	06/21/16	06/30/16
TSA	I Band Employee	.....	06/21/16	06/30/16
TSA	I Band Employee	.....	06/21/16	06/30/16
USCG	INV4 Employee ....	.....	08/13/15	08/15/15
USCG	USCG Employee ..	.....	08/13/15	08/16/15
USCG	Commander .....	.....	10/17/15	10/22/15
USCG	GS-14 Employee ..	.....	10/18/15	10/22/15
USCG	UZMANN	JOSEPH	10/18/15	10/22/15
USCG	USCG Employee ..	.....	12/14/15	12/17/15
USCG	FEDOR	MARK J.	12/14/15	12/17/15
USCG	COGGESHALL	TODD M.	12/14/15	12/17/15
USCG	Commander .....	.....	12/14/15	12/17/15
USCG	Lieutenant .....	.....	12/14/15	12/17/15
USCG	Lt. Commander ....	.....	02/21/16	02/28/16
USCG	Lt. Commander ....	.....	02/21/16	02/26/16
USCG	Lt. Commander ....	.....	03/20/16	03/25/16
USCIS	GS-13 Employee ..	.....	02/22/16	03/11/16
USCIS	GS-13 Employee ..	.....	10/28/15	10/28/15
USCIS	GS-12 Employee ..	.....	02/22/16	03/11/16
USCIS	GS-14 Employee ..	.....	12/06/15	12/13/15
USCIS	GS-12 Employee ..	.....	11/01/15	11/28/15
USCIS	GS-12 Employee ..	.....	11/01/15	11/28/15
USCIS	GS-12 Employee ..	.....	11/01/15	11/28/15
USCIS	GS-14 Employee ..	.....	03/30/16	04/05/16
USCIS	GS-14 Employee ..	.....	10/17/15	10/20/15
USCIS	GS-13 Employee ..	.....	08/09/15	09/04/15
USCIS	GS-12 Employee ..	.....	07/24/15	08/26/15
USCIS	GS-12 Employee ..	.....	08/09/15	09/04/15
USCIS	GS-13 Employee ..	.....	08/09/15	09/04/15
USCIS	GS-12 Employee ..	.....	06/02/15	06/18/15
USCIS	GS-14 Employee ..	.....	06/15/15	06/19/15
USCIS	GS-14 Employee ..	.....	08/26/15	09/04/15
USCIS	GS-12 Employee ..	.....	06/26/15	07/16/15
USSS	TRYON	STEWART	05/16/16	05/18/16
USSS	GS-14 Employee ..	.....	05/11/16	05/14/16
USSS	GS-09 Employee ..	.....	02/23/16	02/25/16
USSS	PRESIDENTIAL DETAIL.	.....	03/20/16	03/21/16

QUESTION FROM CHAIRMAN JOHN KATKO FOR KURT TONG

Question. How many applications for visas does the U.S. Embassy in Havana process per month? How many are granted? Do you anticipate an increase in applications once regularly scheduled commercial service begins?

Answer. Response was not received at the time of publication.

